PENANCE IN THE EARLY CHURCH

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PENANCE IN THE EARLY CHURCH

WITH A SHORT SKETCH OF SUBSEQUENT DEVELOPMENT

THESIS PRESENTED TO THE FACULTY OF THEOLOGY IN ST. PATRICK'S COLLEGE, MAYNOOTH, FOR THE DEGREE OF DOCTOR IN DIVINITY

BY THE

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PREFACE.

WHY appeal to the early centuries? Why trouble ourselves about the past? Why direct attention to practices that have long passed away, or bring the ghosts of vanished ages to haunt the living world of to-day? These are questions we are sometimes tempted to ask ourselves when confronted with the actual living problems of present-day life.

There are various replies. One is that the Church has all through the ages been essentially one and the same; that her children should, consequently, feel an interest in all, even the earliest, phases of her development: that her revelation was 'once for all committed to the saints:' and that, for a full appreciation of her life to-day and for an intelligent development of her doctrine to suit the needs and circumstances of our time, acquaintance with her early history is one of the essentials.

But there is another. If *we* agreed to let the dead past bury its dead and addressed ourselves only to the questions of the moment, the opponents of the Catholic Church—the very men who style her "medieval" and champion the cause of modern life—would be the first to quarrel with the principle. The history of Protestantism has been one long record of the fact. The early ages have been brought before us again and again, their records sifted for every text that might seem to tend against us, and, in the name of historical criticism, attacks of the bitterest kind made

on the Church and on every doctrine specially associated with her name. It has been so, I say, with all our dogmas: it has been so especially with the dogma which I intend to treat, the dogma of Sacramental Penance.

Not many years ago we had an instance of the kind. A Dr. Lea of Philadelphia undertook to enlighten the world on the history of confession and on the past and present doctrine of the Church in relation to Penance generally, his main thesis being that the Church, as a whole, knew nothing of the sacrament of Penance for the first twelve centuries.[1] In his anxiety for the alleged dogmas and practices of the past, he neglected to inform himself of the actual Catholic teaching of the present. Among other things, we find ourselves credited, at least implicitly, with the belief that there is no forgiveness of post-baptismal sin outside the sacrament of Penance[2]; that no confession except the auricular can be sacramental,[3] and that sacerdotal absolution apart from, and independent of, the merits and dispositions of the recipient will ensure remission of all sins confessed.[4] The work, as might be expected, excited an amount of hostile criticism. Catholic writers on both sides of the Atlantic have since been busily engaged in vindicating the doctrine of the Church, and have, incidentally, had their attention directed to many points

[1] "The schoolmen established the power of the keys and the sacrament of Penitence."—*A History of Auricular Confession and Indulgences.* Vol. i., p. 217.

[2] cf. pp. 108, 110, 120, 156, 186, 195, ch. vi. (pass.), &c.

[3] cf. pp. 108, 110, 202, c. viii. (*pass.*), &c.

[4] cf. pp. 116, 142, 215, &c.

that had perhaps previously not been sufficiently emphasized. The importance of the subject in itself, and the interest excited by the controversy, furnish me with a sufficient explanation and apology for returning to the early ages of Christian life.

I feel convinced that, in answer to an opponent like Dr. Lea, it will not suffice to quote the texts of Scripture and deduce the conclusions that are found in our theological handbooks. We must appeal to the sources from which he himself professes to draw his information. I intend to go back, therefore, to the earliest age in the history of the Church for which we have sufficient documentary evidence to constitute a satisfactory basis for research. It has often been said—and the statement is none the less true on that account—that very little remains to tell us of the thoughts and customs of the Christian world for nearly a century after the death of the Apostles. "With the exception of the *Shepherd* of Hermas and the short tract called the *Didache*, we have nothing more than a dozen letters from the Fathers of the first one hundred and fifty years of Christianity.[1]" In connection with the sacrament of Penance, it is only towards the end of the second century and the beginning of the third that we find sufficient evidence to formulate a consistent theory regarding the belief and practice of the Church.

With this period, therefore, I intend to deal. My aim will be not merely to vindicate the sacramental character of Penance but to give a description, full as may be, of the early discipline associated

[1] Rev. P. H. Casey, S.J. *Notes on Lea.* p, 15.

with its administration. The evidence adduced will, I feel assured, bring conviction to the impartial reader that there *was* a sacrament of Penance in the early Church: that the doctrine at the end of the second century was the doctrine at the end of the first: that the attacks of Protestants, however they may affect the theological tenets of individual schools or writers, leave the doctrine of the Church and her dogmas intact: and that, while Catholics have merely modified the early discipline in order to bring it into harmony with the various influences brought to bear on the Church in her varied career for nineteen centuries, Protestants on the other hand have, by their voluntary breach with the ancient faith, rejected a fundamental doctrine of early Christian belief and renounced one of the most precious portions of the Redeemer's legacy of mercy.

PENANCE IN THE EARLY CHURCH.

CHAPTER I.

INTRODUCTORY.

Vocati sancti.—ST. PAUL.

FOR the ordinary Christian, imbued with the prevalent ideas of the modern world and acquainted with the lights and shadows of Christian history for the past nineteen centuries, it may be a little difficult to realize the high ideals on sanctity of life cherished by the first disciples of Christ. Living in the midst of a pagan world, whose doctrines they denied and against whose vicious practices the whole tenor of their lives was to be a continued protest, they lived like the saints of later days and regarded post-baptismal sin as almost incompatible with Christian life. St. Paul strikes the keynote when he addresses them not as "Christians" but as "saints." St. John's ideal was the same. "Whosoever is born of God committeth not sin: for His seed abideth in him, and he cannot sin because he is born of God."[1] When the Apostles passed away their spirit remained. In the *Shepherd* of Hermas the doctrine is expressed that "he that hath received remission of sins, ought no longer to sin but to live in purity."[2] St. Justin informs Trypho that to secure salvation "you must believe

[1] I. John iii., 9.

[2] *Comm.* IV., c. 3, n. 2 (*Funk's Opera Patrum Apost.* pp. 396-9.

in Christ, purify your soul by the baptism proclaimed by Isaias for the remission of sins, and live for the future sinless,"[1] and St. Athenagoras in the second half of the second century teaches similar doctrine.[2] In the *Didascalia of the Apostles*, which may be regarded as giving a rather faithful idea of the Christian conscience of the third century,[3] the author states that "we do not believe that a man who has been washed in the waters of baptism can again be guilty of the cursed iniquities of the Gentiles, for whoever sins after baptism is already condemned to Gehenna. . . . If a man is convicted of doing a work of iniquity he is no Christian, but a liar, and it is through hypocrisy that he holds the religion of the Lord."[4] Even some, in their zeal for the saintly life, maintained that the counsels of Christ should be universally observed as well as His precepts, and that so long as men and women continued to marry His victory would never be complete nor the powers of death finally vanquished.[5]

But, unfortunately, the contrast between the ideal and the real was too strong to escape the notice of the most optimistic. St. John makes a brief reference to the "brother" who sins the "sin unto death,"[6] and St.

[1] *Dialog.* I. 44. Migne, P.G., t. 6, col. 572.

[2] "Doing no evil, but rather entertaining the holiest and justest possible sentiments in relation to God and the Empire." (Apolog. I., P.G., t. 6, col. 891.)

[3] See p. 19.

[4] II. : vii.-viii, (Funk's Edition, 1906 : pp. 42, 44) : The *Constitutions* into which the *Didascalia* was expanded two centuries later soften the statement by adding : "unless he repents and cease from his evil doing" (*ibid.*)

[5] *The Gospel acc. to the Egyptians.* See M. Batiffol's *Etudes D'Histoire*, p. 50.

[6] I. John, v., 16.

Paul has to threaten with the divine vengeance the profaners of the Eucharist,[1] and the man guilty of "such fornication as the like is not among the heathens."[2] Though the advent of Christ had overthrown, it had not completely put an end to, the empire of Satan. Hermas sorrowfully admits that there are broken branches in the tree of Christian life,[3] and the *Apocalypse of Peter* paints the lurid torments that await "the Christian men and women guilty of vices against nature" and the "rich who have no pity for the widows and the orphans and no care for God's commandments."[4]

How was the difficulty to be met? Christians of the present day may smile at the idea that any answer but one could possibly have been suggested. But we should remember that we are heirs to the wisdom of many centuries, and that to the early Christians things appeared in a very different light. Some recalled the mysterious words of Christ about the sin that would "never be forgiven in this world or in the world to come,"[5] and recognised the echo of the saying in the terrible passage of the Epistle to the Hebrews:—"It is impossible for those who were once illuminated, have tasted also the heavenly gift and were made partakers of the Holy Ghost, have, moreover, tasted the good word of God and the powers of the world to come, and are fallen away, to be renewed again to penance, crucifying again to themselves the

[1] I. Cor. xi., 27. [2] I. Cor. v., i. [3] Sim., 8 (*pass.*)
[4] Robinson's Ed., 7-20. (Batiffol, *ib.*)
[5] Matt. xii., 32. Cf. John I. v., 16.

Son of God and making him a mockery. For the earth which drinketh in the rain which cometh often upon it, and bringeth forth herbs meet for them by whom it is tilled, receiveth blessing of God. But that which bringeth forth thorns and briars is reprobate and very near unto a curse, whose end is to be burnt." [1] No further hope, they concluded, for the violators of baptismal vows. If a Christian falls, he can never rise again: the shattered temple must remain a ruin till the end.

But the conscience of the Church revolted against the doctrine. She was conscious of her power over sin, no matter when committed. The *Shepherd* of Hermas, a Roman document dating from about the year 140 and received with such favour that it was placed by many, both in the west and east, among the canonical scriptures,[2] gave expression to the conviction. "I have even now heard," said Hermas to the Shepherd, "from certain teachers that there is no other repentance besides that of baptism": and the Shepherd replied. "Thou hast well heard, for so it is; nevertheless, seeing that thou inquirest into all things accurately, I will declare unto thee this also . . . The Lord, being a discerner of hearts, and foreknowing all things, saw the weakness of men, and the manifold wiles of the devil, how that he is always

[1] vi., 4-8. The author of the *Didascalia* finds it necessary to argue at length against those who, speaking of penitents, "immisericorditer dicunt non oportere cum talibus coinquinari," and "volunt judicare et aperte expellere eos qui peccaverunt tamquam non relinquatur eis poenitentia" (II; xiii., 3, II. xv., i.; Funk's Ed., 1906, pp. 50 sqq.) He had, in fact, expressed a similar sentiment himself (v. *supra.*)

[2] v. M. Batiffol. *Etudes D'Histoire* pp. 55-56.

contriving something against the servants of God, and dealing wickedly with them. . . . And I say unto thee: if anyone, after that great and holy calling, shall be tempted by the devil and sin, he has one repentance."[1] The doctrine was acknowledged to represent the Church's mind; and, notwithstanding the limitations [2] with which, on account of the strong puritanical tendencies at work, Hermas circumscribed the Church's mission, the principle was established and accepted by all that the divine prerogative of mercy in the remission of sins was not confined to the sacrament of Baptism.[3]

On the details of the process through which the sinner regained the state of grace the records of this early period throw little light. In the few scattered references, however, that remain, we have sufficient evidence to justify the assertion that a new dispensation had come with Christ, and that sin was remitted no longer through the individual efforts of the penitent but by the power, and through the ministrations, of the Church. The external, and even public, ceremonies with which the process was to be accompanied, and the fact that it could be availed of only once, show clearly that the purely natural method of atonement had ceased to be the only one. St. Clement of Rome, in his Letter to the Corinthians,[4] enjoins them to "submit themselves to their priests and be

[1] Hermas, *Comm.* iv., c. 3, n. 1, 2, 3, 4, 6 (pp. 396-9, Funk's Ed.,)

[2] He concedes Penance only once, as the text quoted shows; he confines it, moreover, to sins already committed (C. iv. c. 3, n. 3), and exhibits the concession as granted by a special revelation, &c., &c.

[3] It is taught unreservedly in the *Didascalia* (*loc. cit.*, p. 48, sqq.)

[4] Cap. 57. Migne P.G., t. i., col. 324.

instructed unto penance," a reference to the penitential discipline, as even Protestant writers are forced to admit[1]. The heretic Cerdon did public penance before the Church during the pontificate of Pope Hyginus.[2] St. Ignatius, in a similar way, in his Letter to the Philadelphians, associates the bishop with the remission of sins and seems to regard his action and presence as indispensable.[3] Hermas asserts that the sinner must "afflict his soul, and thoroughly humble himself in every action, and undergo many and divers tribulations[4]"; and that these penitential exercises were undertaken under the supervision of the Church, and that the penitent received remission of his sins directly from and through her is evident from the comparison of the second Penance to Baptism,[5] and from the bitter invective to which Tertullian, who himself maintained that the sinner might receive pardon directly *from God*, treats that "apocryphal shepherd of adulterers."[6]

With these two principles, then, to guide us—that the fallen Christian had still a hope of salvation, and that his pardon was to be secured through an outward penance with which the ministers of the Church were

[1] Cf. Marshall, *Pen. Discip.* p. 21. For Clement's supposed letter to St. James (attributed by Duchesne to the second century), showing power of keys confined to successors of Apostles, v. P.G., t. 1, col. 464, 466, &c.

[2] Iren iii., 4, 3. P.G., t. 7, col. 857.

[3] C. 8. "God remits the sins of all penitents if they repent unto the unity of God and council of the Bishop" (*συνέδριον τοῦ ἐπισκόπου*).

[4] Hermas. *Sim.* vii., 4. (Funk, pp. 474-7).

[5] Hermas *Comm.* iv., c. 3 (Funk 396-9).

[6] *De Pud.* xx., 2. Cf. x., 11-12. The quotations from Tertullian are, for the most part, in accordance with the Edinburgh translation.

to be somehow associated—we pass from the rather misty twilight of early post-apostolic history to the clearer light of the period I have chosen for treatment. Of the works on which I intend to rely chiefly, some were written before 200 A.D., some after, but the authors were all alive in that year and were intelligent witnesses of the doctrine and practice then prevailing.

CHAPTER II.

The Power of the Keys about 200 A.D.

Whatsoever you shall bind on earth shall be bound also in heaven, and whatsoever you shall loose on earth shall be loosed also in heaven. —Matt, xviii., 18 ; cf. Matt. xvi., 19.

Whose sins you shall forgive, they are forgiven them, and whose sins you shall retain they are retained.—John, xx. 23.
"Ego . . . dimitto."—Pope Callistus.

When brought face to face with the records of this early period, Protestants have to admit that there was in the Church of that time a penitential discipline to which they themselves at the present day have nothing to correspond. Sinners, they agree, had to pass through a period of Penance before being re-admitted to full ecclesiastical Communion. To counteract, therefore, the conclusions one might naturally be disposed to draw, they assert that the discipline was merely a part of the Church's external government: that she intended to grant pardon, not for sins committed against God, but merely for offences against herself[1]; that, in the words of Dr. Lea, "The whole penitential system had nothing to do with the relations between the sinner and his God"[2]: that the Church "could grant the penitent peace" and reconciliation, but did not pretend to absolve him, and by reconciliation he only gained the opportunity of being judged by God."[3] This is

[1] Harnack, *Dogmengeschichte* t. 13, p. 407 (Batiffol *op. cit.* p. 87).
[2] Vol I., p. 110. [3] *Ib.*, p. 10.

evidently, a point of cardinal importance: it is, in fact, on this fundamental principle that most of Dr. Lea's remarks on the early Church and attacks on the sacerdotalism of later times are made to rest. Before, therefore, discussing the various elements of Penance it may be well to examine the grounds for these assertions.

Now what are the facts? The writers of the period will speak for themselves. Not all of them, indeed, were faithful to the Church of their Baptism—modern Protestants sometimes seem to ignore the fact[1]—but in this matter, as in many others, heretics are often better witnesses to her faith and practice than those who never quarrelled with her dogmas.

Tertullian, while still a Catholic, wrote, about the year 204, his Treatise on Penance for the instruction of catechumens preparing for baptism. Though he labours to impress upon them the ideal of a Christian life without stain and without reproach, he recognises the possibility of post-baptismal sin, and announces with some reluctance, that as baptism wiped out the sins they had committed before becoming Christians so would "exomologesis"—the whole discipline of penance gone through under the supervision of the Church—remit sins committed afterwards in case they fell again. "I am ashamed," he says, "to append mention of a second . . . hope, lest by treating of a remedial penance yet in reserve I may seem to be pointing to a yet further space for sinning."[2]

[1] Dr. Lea, for example, quotes in his own favour the Montanist views of Tertullian.

[2] *De Poen.* vii., 2. "Piget secundae.. . . . spei subtexere mentionem."

There is a "first hope" in Baptism, a "second hope" in Penance. If the "first hope" had to do with "the relations between the sinner and his God," so had "the second." The writer knew nothing of Lea's distinctions. "God forbid that anyone so interpret our meaning as if . . . the redundance of *celestial* clemency constituted a licence for human temerity."[1] The mercy shown, therefore, was not the Church's own; it was the mercy of her Founder. And yet Harnack will tell us that the sins contemplated were merely offences against the *Church's* laws, and Lea that "the whole penitential discipline had nothing to do with the relations between the sinner and his God"! "Although the gate of forgiveness has been shut and fastened up with the bar of Baptism, God, foreseeing the venemous suggestions of the devil, has permitted (it) still to stand somewhat open. In the vestibule[2] He has stationed Penance the second to open to such as knock."[3] What "Penance the first" had done for the catechumen, "Penance the second" would do for the fallen Christian. Now of the former Tertullian himself describes the results. "To all sins, then, committed, whether by flesh or spirit, whether by deed or will, the same (God) who has destined penalty by means of judgment, has withal engaged to grant pardon by means of Penance.[4] And still Dr. Lea will assert that the "Church could grant the penitent peace but did not pretend to absolve.

[1] *De Poen.* vii., 3. "clementiae coelestis."

[2] Alluding to the fact that the penitents were sometimes shut out from the meetings of the faithful.

[3] *De Poen.* vii. 10. "Poenitentiam secundam quae pulsantibus patefaciat." [4] *Ib.* iv. i.

"You have offended," Tertullian goes on to say to the Christian sinner, "but can still be reconciled . . . This if you doubt, unravel the meaning of 'what the Spirit saith to the Churches.'" He then refers to the threats in the Apocalypse against the erring churches, and sums up: "God would not threaten those who refrain from doing penance, unless He would pardon those who did it."[1] Is not the drachma, he asks, that was lost and found a type of the sinner restored to peace?[2] The whole flock was not dearer than the one lost lamb that was carried back on the shoulders of the shepherd.[3] "Who is the father (of the prodigal) to be understood by us to be? God surely. No one (is) so truly a Father, no one so rich in paternal love."[4] What is the meaning of all this if Tertullian believed that the pardon granted had no value in the court of conscience, and if, after normal reconciliation, the sinner might still be an enemy of God? Our opponents may reply that the penance of which there is question was the private penance of the sinner's own heart, the secret reconciliation of the soul with God. That is not Tertullian's view, however. He assures us that "The second penance must not be exhibited in the conscience alone, but likewise carried out in some [external] act."[5] He gives an account of the discipline as practised in his time and enumerates its effects; "by pronouncing" he says "against the sinner it stands in the stead of

[1] *De Poen.* vii., 14, viii., 1, 2, "si non ignosceret poenitenti."
[2] *Ib.*, viii.. 4. [3] *Ib.*, viii., 5.
[4] *Ib.*, viii., 7. "Deus scilicet; tam pater nemo; tam pius nemo."
[5] *Ib.*, ix. 1. "aliquo etiam actu administretur."

God's indignation, and by temporal mortifications (I will not say frustrates, but) discharges eternal punishments. While it abases the man it raises him ; while it covers him with squalor it renders him more clean ; while it accuses it excuses ; while it condemns it absolves."[1] He advises them not to shrink from the ordeal. "When you cast yourself at the brethren's knees, you are handling *Christ*, you are entreating *Christ*. In like manner, when they shed tears over you, it is *Christ* who suffers, *Christ* who prays the Father for mercy. What the Son asks is ever easily obtained."[2] "Is it better to be damned in secret than absolved in public?"[3] God's ratification of the Church's action in pardoning the sinner was never more clearly expressed. When a man approaches the Church he approaches Christ: when the Church absolves it is Christ himself who pardons. "If you shrink back from exomologesis, consider in your heart hell, *which exomologesis extinguishes for you;* and imagine first the magnitude of the penalty that you may not hesitate about the adoption of the remedy."[4] . . . Since you know that after the first bulwark of the Lord's baptism[5] there still remains for you in exomologesis a second reserve of aid against hell; why do you desert your own salvation?"[6] Numerous other texts might be quoted, but these suffice. There can be no

[1] *De Poen.*, ix., 6. "Aeterna supplicia expugnat. . . . cum condemnat, absolvit." [2] *Ib.*, x., 7.

[3] *Ib.*, x., 8. "An melius damnatum latere quam palam absolvi?"

[4] *Ib.*, xii. i.

[5] As distinguished from S. John's v. *De Bap.*, c. x.

[6] *Ib.*, xii., 5. "In exomologesi secunda subsidia, cur salutem tuam deseris?"

doubt about his meaning: the sinner's efforts to regain God's favour are by themselves unavailing: [illegible] appeal to the assembly of the faithful: when he pleads his cause with the Church he pleads with Christ, and the absolution he gains will be valid because ratified by Christ and by the Father. Baptism and Penance are placed on the same footing: they are "the two planks, as it were, of human salvation."[1] When exactly, and by whom in the Church, the absolution was granted he does not clearly state in this connection. We shall see that further on, and Tertullian himself will supply us with the facts.

Though in the treatise before us he gives us no hint that he is expressing any other doctrines than those universally held by Catholics, it is quite clear that there were still many traces of the rigorist teachings so common half a century before. Views of the strictest kind were held regarding the more serious sins, especially sins of impurity, and not a few would seem to have called in question the powers of the Church in regard to their remission. So much so, that Pope Callistus, either in answer to a petition from the faithful or to put an end to controversies that tended to disturb the unity of Catholic discipline, was compelled to make a formal declaration of the Church's mind. "I remit," he declared, "to such as have discharged the requirements of Penance, the sins both of adultery and fornication."[2] The "edict," as

[1] *De Poen.*, xii., 9. Istis duabus humanae salutis quasi plancis."
[2] *De Pud.*, I., 6.

Tertullian called it[1], was received by the Puritan party with a howl of execration. Tertullian himself who had by this time fallen under the spell of the Montanist visionaries and had, as he tells us himself, renounced the "fellowship of opinion" he formerly maintained "with Callistus and his Psychics[2]" was amongst its bitterest opponents. He wrote the tract "On Modesty" to refute the doctrine of Callistus. For the "deadly" sins of murder, impurity, and idolatry[3]—and to their number he afterwards adds "fraud, apostacy, blasphemy, and any other violation of the temple of God"[4]—penance, he grants, must be performed, but none can pardon them but God alone: "for who except God alone remits offences."[5] Callistus had quoted the example of Christ and the Apostles. Tertullian replies with a sneer: "Exhibit, therefore, even now unto me, apostolic sir, prophetic evidence that I may recognise your divine virtue, and vindicate to yourself the power of remitting such sins."[6] He ridicules Callistus' kind treatment of the sinner: "Do you yourself lead in the repentant adulterer, and prostrate him all in haircloth and ashes, a compound of disgrace and horror, before the widows, before the priests, suing for the tears of all, licking the footprints of all, clasping the knees of all . . . and do you good shepherd and blessed father that you are . grace your harangue with all the allurements of mercy in your power, and

[1] *De Pud.*, "Edictum. . . . peremptorium."
[2] *Ib.*, c. I. 10. "Sententiae. . . . societatem."
[3] *Ib.*, xii., 5. [4] *Ib.*, xix., 24. [5] *Ib.*, xxi., 2. [6] *Ib.*, xxi., 5.

with the parable of the "ewe," go in quest of your goats."[1] Through chapter after chapter of the *De Pudicitia* he labours to minimize the force of the very parables of mercy he had once so beautifully utilized himself.[2] Every passage of the Bible that speaks of the divine wrath against the sinner and his works is torn from its context, and made to play its part in his savage attempt to idealize the merciless.[3] The Catholics had urged that it was useless, after all, to submit to the long discipline of penance unless pardon were granted at the end. Tertullian replies that the argument would be valid if the penitents adopted the Catholic principles and looked to men for pardon of the greater sins, but absolutely worthless if, like him, they looked to God alone. "Justly do our opponents allege [this argument] against us, since they have usurpingly kept in their own power the fruit of this penance also—that is, pardon; for, so far as *they* are concerned, at whose hands penance obtains peace from men (it *is* in vain). As regards *us*, however, who remember that the Lord alone concedes (the pardon of) sins (and, of course, mortal ones), it will not be practised in vain."[4] "The Church, you say (he states later on), has the power of forgiving sins. This I acknowledge and adjudge more (than you, I) who have the Paraclete Himself in the persons of the new prophets, saying—'The Church has the power to

[1] *De Pud.*, xiii., 7-8.

[2] Cf. cc. 7-10, &c., of the *De Pudicitia*, with c. 8 of the *De Poenitentia.* [3] cc. v., vi., xii., xv., xvii., xix.

[4] *Ib.* iii. 3 "quoniam hujus quoque poenitentiæ fructum, id est veniam, in sua potestate usurpaverunt. . . . a quibus pacem humanam consequitur . . &c."

forgive sins, but I will not do it lest they commit others withal.'"[1] "The Church, indeed, will pardon sins, but (it will be) the Church of the Spirit by means of a spiritual man, not the Church which consists of a number of bishops."[2] "Regarding your opinions, therefore, I now inquire on what grounds you usurp the rights of the Church."[3] "Let penance win pardon from the bishop for the lighter sins, for the greater and irremissable from God alone."[4]

These remarks need no comment. The controversy regards post-baptismal sins, and Tertullian agrees with the Pope that the Church has power to forgive them all. He holds that formal pardon, when given at all, should be given by the bishop, and indicates no further difference between the absolution granted by the bishop and the pardon granted by God than that the latter had to do with heinous sins, the former with the lighter offences of daily occurrence. The principles of Catholic doctrine that vex his Montanist soul are emphasized by the vituperation he heaps upon Callistus. The real Church—we conclude Callistus must have taught—is *not* the Church of the Spirit, but the Church presided over by the bishops. The parables of Scripture—which surely deal with "the relation between the sinner and his God"—*were* the basis of the Church's practice

[1] *De Pud.* xxi., 7. "Habet. . . Ecclesia potestatem delicta donandi. Hoc ego magis et agnosco et dispono. . . . Potest ecclesia donare delictum, sed non iaciam, ne talia delinquant.

[2] *Ib.* xxi., 17. "Non ecclesia numerus episcoporum."

[3] *Io.* xxi., 9. "Unde hoc jus Ecclesiae usurpes."

[4] *Ib.* xviii., 17. "Salva illa poenitentiae specie post fidem quae aut levioribus delictis veniam ab episcopo consequi poterit, aut majoribus et irremissibilibus a Deo solo."

and *did* justify her doctrine. Catholics believed that the peace given through man *was* "adequate to the guilt,"[1] that the Church not only had the power to pardon but *should* exercise it even in the case of the greatest sinners. The pardon, in fact, for which the Montanists were taught to look to God alone Catholics believed could, and should, be granted through the Church herself.

But the consternation aroused in schismatical circles by the proclamation of the Pope was by no means confined to Carthage or its neighbourhood. There was living at the time, somewhere near Rome, a bishop of a dissenting sect[2] who, as his recently discovered work, the *Philosophumena*, proves, had a close acquaintance with Italian affairs and was a bitter opponent of the dogmatic and moral teaching of the Popes Zephyrinus and Callistus. Provoked by what he was pleased to consider the unwarrantable laxity of Catholic practice, he proceeded to abuse Callistus with a venemous eloquence that Tertullian himself had hardly rivalled. "That deceiver (Callistus)," he says, "was the first who made an attempt to give free indulgence to the depraved lust of mankind when he asserted that all men's sins were remitted by himself For whatever atrocity the seductions of others have led a Christian to commit[3] they (the followers of Callistus) assert it shall *not be imputed to him*, provided he declare his adhesion to Callistus' school.

[1] "Quod delictis humanam pacem sufficere non credit" is Tertullian's description of the Montanist view (c. iii., n 4).

[2] Probably Hippolytus.

[3] Or, "whatever atrocity a Christian, belonging to another sect, commits."

The definition brought delight to many whose conscience was laden with crime, and who were condemned by many a sect—aye, and to some who had, by a judicial sentence formulated by ourselves, been cast out of the Church—so that they swelled the number of his disciples and filled his school. His hearers, delighted with his doctrines, *hold them even yet*, deceiving themselves and many others. . . . Their number increases in consequence, and they glory in the multitude of disciples whom their offer of pleasures forbidden by Christ has attracted to their standard. Christ they despise; all obstacles against sin they tear away by their assertion that they *can remit the sins* of those who are imbued with the correct principles. . . . And after such attempts they have the impudence *to call themselves the Catholic Church.* . . . These were the exploits of our admirable friend Callistus, and his school still stands, maintaining the morals and traditions of its master, and they trouble not at all with whom they should communicate, but offer communion rashly to everyone."[1] To anyone acquainted with the Protestant calumnies of modern days there is a familiar note in the hysterical shriekings of the old schismatic. We may make all due allowances for the exaggerated emphasis laid on the doctrines of Callistus and the Church by a man whose evident purpose was to hold

[1] *Philos.*, L. 9, c. 12, Migne, P. G., t. 16, col. 3386-3387 . . . Dicens a se peccata omnibus remitti (ἀφίεσθαι ἁμαρτίας) . . . quodcunque enim scelus Christianus ab alio seductus commiserit, id ei non imputatum iri . . . Etiamnum ea tenent . . . posse seipsos peccata dimittere bene scientibus, &c.

them up to ridicule, but we challenge any fair-minded reader, after a study of the extract given above, to find in the teachings of the early Catholic Church any trace of Dr. Lea's peculiar tenets or any indication that the Church of the time, when "it offered communion 'rashly' to everyone," did not really intend to grant a remission, valid before God, of "every atrocity which the seduction of others may have led a Christian to commit."

To ascertain the practice of the east, no higher authority can be cited than that of Origen, the great Alexandrian teacher,[1] who had a personal acquaintance with the foremost churchmen of his day and gathered up with a reverent hand, the varied traditions of eastern Christendom. His genius, indeed, betrayed him into many an extravagance. His doctrines on Penance are occasionally tinged with a Montanist colouring,[2] as may be seen from the extracts given below. But the fact that even the malice of his enemies never made them a groundwork for attack shows that as far as the existence of the power of the Keys was concerned he gave correct expression to

[1] He was head of the Catechetical School which, as Newman states in his *Essay on Development* (p. 285), was "the organ of the (Egyptian) Church."

[2] He maintains that only saintly bishops can use the power validly. Commenting on Matthew XVI., 18 (t. 12, 14) he says: "The bishops use this passage as if it implied that they, like Peter, had received the Keys. . . . Their contention is sound. . . . but if a man is bound with the chains of his own sins it is idle for him to bind or to loose others. . . . He is puffed up . . and in his pride he has fallen as the devil fell." So Swete, who adds—"A touch of Montanism still surviving in the veteran scholar" (*Journal of Theol. Studies*, April, 1903, p. 332).

the doctrine of the Church. The following quotations will speak for themselves :—

"He on whom Jesus has breathed, as He did on His Apostles, and who by his fruits can be known to have received the Holy Ghost and to have been made spiritual so as to be led by the Spirit of God, as sons are, to do what is reasonably done, remits what God remits and retains sins that are incurable : ministering to God, who alone has power to remit sin, as the prophets ministered to Him in speaking not their own thoughts but the thoughts that His divine will commanded. This is seen from what is said in the Gospel of St. John concerning the power of remission granted to the Apostles : "Whose sins you shall forgive they are forgiven, and whose sins you shall retain they are retained."[1]

"He (against whom the gates of hell do not prevail) has the keys of the kingdom of Heaven, opening to those who are loosed on earth that they may be loosed and freed in Heaven, and closing to those who, by his just judgment, have been bound on earth that they may be bound and condemned in Heaven."[2]

That the Church granted through Penance a real remission of sin, and not merely an absolution from censures imposed by herself, is seen also from the following passages :—

"If we reveal our sins not only to God but also to those who can heal our wounds and our sins, our sins will be remitted by Him who says "Behold I will

[1] *De Oratione*, c. 28 ; Migne, P. G., t. 11, col. 528.
[2] *In Matt., Tom.* xii., n. 14. Migne P.G., t. 13, col. 1013.

destroy thy iniquities as a cloud, and as a thick cloud thy sins." [1]

"There is a seventh kind of remission of sins . . . when the penitent is not ashamed to reveal his sin to the bishop of the Lord and to seek the remedy." [2]

"A man of this kind" (he has been speaking of one who submits to the public discipline) . . . "understands that through this (penance) pardon is granted him, and that for the sins which now cover him with confusion before men he will, on the day of the resurrection, escape confusion and reproach before the angels of God." [3]

It is implied, moreover, in the comparison he makes[4] between the absolution of "the more serious crimes" for which (public) "penance was granted only once," and the pardon of "common faults of frequent occurrence"—many of which, being merely venial, were at the time[5] outside Church jurisdiction and entirely a matter "for the sinner and his God;" and finally, in the fact that, even when under the influence of Montanism, he admitted the bishops' power over all sins less than idolatry and adultery, these two being the only ones classified as "reserved to God alone." [6]

That these doctrines were not due to Origen's private speculations but were part of the legacy of

[1] *Hom.* 17 *in Lucam.* Migne P.G., t. 13, col. 1846.

[2] *Hom. ii. in Liv.*, c. 4. M., P.G., t. 12, col. 417-418. ("Sacerdos" is the word used, but see chap. VII.) [3] *Hom.* 2 *in ps.* 37, t. 12, c. 1381.

[4] *Hom.* XV. *in Lev.*, cap. ii. P.G., t. 12, col. 561. (quoted in chap. V.

[5] v. chap. V.

[6] *De Or.*, c. 28. Migne, P.G., t. 11, col. 528, 529. (quoted p. 33 *infra*).

Christian thought and practice handed down from previous generations is clear from the fact that Clement of Alexandria, his predecessor in the Catechetical School of Alexandria, expresses similar views in many portions of his writings. His manifest acquaintance with the *Shepherd*[1] of Hermas indicates his knowledge of the Roman discipline, while his reference to St. John's treatment of the robber of Ephesus[2] shows that he was acquainted with the practice of Asia Minor as well. Like the other Alexandrian teachers, Clement, it must be granted, is haunted with visions of the "perfect gnostic," and prefers to treat of the lighter faults and of repentance as an element in the formation of the ideal "spiritual man" rather than of penance as a remedy for serious offences. But a quotation like the following will show that, when he turned his eyes from his moral Utopia and recognised the failings of the ordinary world and the varied frailties to which flesh is heir, he could indicate as clearly as Origen himself the remedy prescribed by the Church for the cure of such infirmities. "The first penance is for the sins of those who previously were pagans; there is a penance also for those who are called . . . God, who knows the heart and foresees the future, has seen from the beginning the instability of man and his propensity to repeated relapse, and the wiles of the devil who, envious because of the remission of sins, throws snares in the path of God's servants. Therefore, in His

[1] Cf. the phrases "the second penance," "the angel of penance," "God who knows and foresees, &c.," &c.

[2] *Quis dives* c. 42. P. G., t. 9, col. 649.

mercy has He granted, even to the faithful who fall into any sin, a second penance ; so that if any of them is, after his call to the faith, tempted and cunningly circumvented by the devil, he shall still have one (other chance of) penance."[1] The Church, through the Sacrament of Baptism, grants the infidel full remission of his sins; penance is regarded as a parallel and equally potent means of salvation for the Christian who imitates the ante-baptismal career of the Gentile. That the "penance" mentioned is the public discipline of the Church is seen from the fact that, while as all admit, non-sacramental penance is a matter for the penitent's individual conscience and may be repeated as often as sin is committed, Clement will have the penance of which he speaks accompanied with many external ceremonies and will limit its application to a single time.[2]

From what has been stated, even the most prejudiced will, I fancy, have to admit that, whether the power of the Keys was officially claimed by the Church as a whole or not, it was maintained, at least, by not a few whose position was too prominent to allow of their teachings remaining unnoticed by the orthodox members of the Church. Is it not strange, therefore, that in the rather extended catalogues of heresies drawn up by various writers of the early Church no mention is made of a claim which, if not based on Christ's command, would, certainly, have been one of

[1] *Strom.* L. 2, cap. 13. M. P.G., t. 8. col. 993, 996.

[2] *Ib.* Also, *Quis Dives*, c. 41, M., P.G., t. 9, col. 645-648, cf p. 5 (*supra*).

the most dangerous heresies and most blasphemous assumptions of divine power that one can well conceive? Is it not still stranger that when the disciples of Montanus and Novatian had so far developed their doctrines as to deny to the Church—as Harnack and Dr. Lea do now—the power of granting a real pardon of serious sins, they were denounced by the foremost writers of the Church as opponents of Catholic truth, and their doctrines branded as a heresy?[1] This, however, by the way: for we are dealing with a period when their doctrine had not yet begun to evolve in that particular direction. Now St. Irenaeus, who was acquainted with the traditions of the east and west, wrote, towards the end of the second century, a work expressly against the various heresies that had already appeared in the Church. And not only does he refrain from characterizing the doctrine of remission of sins by the ministry of the Church as a contradiction of the principles taught by Christ, but he so associates the ideas of public penance and divine pardon as to emphasize, between them in practice, the very connexion which Protestant controversialists are at such pains to minimize. Take, for example, his account of the women who had been betrayed by the heretics in his own neighbourhood into practices of immorality. "Their consciences were seared with crime. Some did penance publicly, but others, whom shame would not allow (to undergo it), and who in a way despaired of obtaining God's pardon, either fell from the faith

[1] *e.g.* Epiphanius, *Haer.* 59: Augustine *Haer.* 38: Eusebius L. 6, c. 43, &c.

entirely, or remained in a state of indecision."[1] Our doctrine may not be here expressly stated nor the various stages of the justifying process recorded in detail—it was not Irenaeus' purpose to do either, for he was dealing with heresies, not with the recognised discipline of the Catholic Church—but we wonder if Dr. Lea, in the light of his principle that "the whole penitential discipline had nothing to do with the relations between the sinner and his God," could fully appreciate the text, or give an intelligent explanation of its meaning.

But, perhaps, when all is said, there is no better witness to the faith of the Universal Church than the various collections of canons and books of ritual which, claiming to enshrine the Apostolic traditions, grew up gradually in the Church, and were added to, year after year, by men who claim no share in the authorship of the whole. They embody the conscience of growing Christianity, and convey the dogma not so much in express definitions as in practical suggestions for public discipline and for the due observance of Church ceremonial. We have works of the kind for the period under review. "Not long after Tertullian, the canons of Hippolytus, in the ritual of episcopal consecration, show that God was prayed to bestow on the bishop the power of remitting sin," as Dr. Lea himself is forced to confess.[2] The *Didascalia* which some of the best modern scholars attribute to the early half of the third

[1] *Adv. Haer.* L. I. c. xiii, n. 7; P. G., t. 7, col. 592.

[2] Vol. I., p. 110. The reference is to iii. 17: "Tribue illi, o Domine, episcopatum et spiritum clementem et potestatem ad remittenda peccata."

century,[1] while others regard it as a gradual development from the early *Didache*,[2] was a work written originally in Greek, but soon translated into Latin and Syriac.[3] It was, therefore, pretty well known through the Roman world and can claim to represent, if any work may, the general trend of Christian thought. Here is one of its directions to the bishop in his treatment of the sinner: "When a sinner is converted, and shows fruits of penance, receive him (back) to prayer as you do the pagan: as then you baptise the pagan in order to his immediate reception, in the same way you will impose hands on the former (the converted sinner) while all present offer up their prayers for him, then you will bring him in, and give him fellowship in the Church once more; this imposition of hands will be for him a second baptism, for both by imposition of hands and by baptism do they become sharers in the Holy Spirit.[4]" With the details and special ceremonies indicated here we have no concern just now; I merely wish to emphasize the fact that if, as even our opponents must allow, Baptism was considered a sacrament in the early Church and effected a complete remission of sin, then, in the light of the text just quoted and

[1] *e.g.* Harnack: *Die Quellen der sogenannten Apostolischen Kirchen-ordnung*. II., 5 (1886): *Geschichte der Altchristlichen Literatur* II., II., p. 488 sqq. (1904).

[2] *e.g.* Holzhey: *Theologisch-praktische Monatschrift*, pp. 515, sqq. (1901). Dr. Funk, though, locates it in the second half of the century.

[3] See Funk (*Did. et Const. Apost.*, p. iii., sqq,)

[4] II. 41, 1-2 (Funk's Ed., p. 130): "Eum introduces et participem facies ecclesiae et erit ei loco baptismi impositio manus: namque aut per impositionem manus aut per baptismum accipiunt participationem spiritus sancti."

of many similar passages that might be adduced, the Penance administered by the Church must be held to possess a sacramental efficacy also, and to be productive, as far as the remission of sin is concerned, of precisely similar effects.

If it be asked why Protestants familiar with the early literature persist in identifying absolution with a mere external reconciliation, the answer, I believe, will be found in the fact that, at the time of Tertullian and Callistus and, indeed, for centuries later, sacramental pardon of sin and absolution from the qualified censure of the Church to which penitents were subjected were granted at the same time and by the same tribunal.[1] Sins, even the most secret, when submitted to the power of the keys, excluded the penitent, to some extent at least, from social Christian life; sacramental pardon of the sin restored him to full communion. To use the theological expression, there was practically no distinction between the *forum internum* and the *forum externum* of the Church.[2] And, just as the sacrament of Baptism has now, as it had then, the double effect of remitting antecedent sin and making the recipient a member of the society known as the Church, so did sacramental penance in early times remit

[1] Cf. our prayer "ab omni vinculo excommunicationis, &c," before absolution.

[2] See Migne, *Theol. Cur. Com.* XX., col. 364, sqq., where this fact is clearly established; cf. Morinus *De Poen.* L.I., c. 9-10, &c. Petavius, *De Poen.* L.I., c. 8, n. 11-12. The sinner might be denounced by others and forced to undergo the public penance. This explains the well-known rule that those who confessed were subjected to a less rigorous penance than those who were convicted (cf. Council of Elvira, c. 76: Gregory of Nyssa, *Ep. Can.*, &c.)

post-baptismal sin and restore the advantages of membership which the sinner had partially forfeited.[1] Catholics admit these two effects; Protestants admit the second, but, with a lower idea of the Church's power, persistently shut their eyes to all the traces of the first.

Here I conclude. When we return to those early ages as pictured in its records, our first feeling is that the regulations of the Old Law had disappeared, that the sinner no longer contented himself with the secret repentance of a contrite heart but appealed to the Church for mercy, and through the penance she recognised gained the Divine favour and friendship which his individual efforts were unable to secure. Though the evidence is in parts defective, bold outlines and broad masses of colour rise out of the records of the past.[2] We have called up witnesses from east and west, representatives of nearly every portion of the world into which Christianity had spread, and we have found them all agreeing in the statement that a new link had been established between heaven and earth, and that the Church possessed a power, delegated by Christ, to blot out the sins of the Christian as well as of the infidel, and to loose on earth with a guarantee from Him that heaven would ratify her judgment. I challenge even the age of the scholastics for a clearer indication of the sacramental character of Penance and of the Church's conscious

[1] See the passage quoted above from the *Didascalia*: the same ceremony makes the penitent "participem ecclesiae," and gives him "participationem spiritus sancti."

[2] Newman, *Development* p. 7,

possession of the power of the Keys than is contained in Pope Callistus' "ego dimitto": the penitent may be sorry for his sins and fully discharge the requirements of penance; yet, when all that is over, it is "*I*," proclaims Callistus, who "remit." What Baptism was to the infidel, penance was to the fallen Christian.[1] The men who spoke for the Church, based her prerogatives on the grant to Peter of the power to "bind and loose"[2] and to the Apostles generally of authority "to remit and retain sins"[3]: and, surely, if in the inspired record of God's love for man there be any indication that Christ raised this world of ours to a position nearer heaven, or granted to the race He redeemed a share in the powers He enjoyed Himself, it is in the two passages in question. The early Christians appreciated that power, and loved that token of divine condescension. At death they longed for "the peace of the Church," and the Church secured with elaborate care, that none of her

[1] So perfect was the parallel between them that the catechumen had to undergo, before being admitted to Baptism, penitential exercises similar to those imposed on the Christian sinner before his admission to the full pardon of the Church, cf. Tert., *De Poen.*, c. i-vi, *De Bap.*, c. xx (v. chap. VI. *infra*). The parallel effects of Baptism and Penance are insisted on very frequently by later writers; *e.g.*, by St. Athanasius, P. G., t. 16, col. 1316; St. Cyril, t. 72, col. 721; St. Ambrose, P.L., t. 16, col. 476, 499; St. Leo, t. 54, col. 1011; St. Jerome, t. 23, col. 527; St. Augustine, t. 40, col. 482, &c.

[2] *e.g.*, Origen: Comment. on Matt. xvi., 18 (quoted p. 19, note 2); Callistus; v. Tert., *De Pud.*, xxi., 9: "Si quia dixerit Petro dominus, &c.; *Didascalia*, II., xviii., 2: "Vobis, episcopi, dictum est 'quodcunque ligaveritis,'" &c. Still earlier in St. Clement's supposed letter to St. James, P.G., t. 1, col. 464, 478, &c.

[3] *e.g.*, Origen, *De Or.*, c, 28 (quoted p. 20), etc. There is an implied reference to the text in the Canons of Hippolytus (III, 17: see p. 22, note 2), as is evident from the addition, "secundum mandatum tuum" in the *Const. Apost.*, L. 8, c. 5, n. 7.

children should pass away without it.[1] Why so much anxiety, if, after all, it was merely admission to an earthly society and gave no guarantee of a merciful judgment in the higher court where the penitent was soon to appear? Why so much desire for the "peace of the Church" if a cynical sceptic, without rebuke from the faith of the Church, might whisper in the ear of the dying that "the Church had power to destroy, but no correlative power to save," or that "the whole penitential discipline had nothing to do with the relation between the sinner and his God"? The dying penitent was not an excommunicate. Whether the ceremony of reconciliation were performed or not, his name would be remembered at the altar, and the prayers of the faithful offered for his soul.[2] His connexion with the earthly Church was drawing to a close: it would matter very little to him that, had heaven granted him a longer life, he would have advanced from the ranks of the penitents and stood among the ordinary faithful.[3] Were the blessings attached to "the peace of the Church" no greater than Protestants are willing to concede, his

[1] Cf. (some years later) Ep. of Roman clergy to St. Cyp. xxxi. 8, P.L., t. 4, col. 315. Cyp., Ep. 54 *ad. Ant.*, c. 13, t. 3, col 779; c. 5, col. 776; Cyp. *Ep. ad Cornel.*, xii. c. 8, t. 3, col. 807, &c.

[2] This is true at least of the African and Gallic Churches, if we are to take the express regulations of later times as testifying to the older practices: cf. IV., Council of Carth., c. 79: II. Arles c. 12. The Roman Church would seem to have adopted a stricter practice at first. See Migne, *Theol. Curs. Comp.*, col. 685 sqq.

[3] Even this privilege would not have been generally accorded, for many Councils (held at a somewhat later date indeed, but, presumably, expressing the feelings of earlier times) made elaborate arrangements for the subsequent severe treatment of those who happened to recover, *e.g.*, Nice, c. 13; 4th Carthage, c. 76, 77; I. Orange, c. 3, &c.

intense anxiety to secure it, would only add one more to the long list of historical enigmas.

It has been reserved for the acumen of modern inquirers to discover these mysterious phenomena of the early Church, and to point out the false impressions under which it laboured. The world may be older to-day than it ever was, but I doubt if it be wiser. And, with all due deference to the awe-inspiring spirit of critical research, I am content to accept, as exponents of the ancient faith, the men who lived in the troubles and trials of those early days and laid down their lives for the principles they cherished.

CHAPTER III.

WERE ALL SINS FORGIVEN IN THE SACRAMENT?

"Omnibus delictis seu carne seu spiritu, seu facto seu voluntate commissis . . . veniam per pœnitentiam (Deus) spopondit."—TERTULLIAN.

THAT the Church, then, enjoyed the power of the keys is certain. That the power extended to all kinds of post-baptismal sin is equally clear. The statements quoted in the preceding pages, and the principles on which, as we have seen, the Church based her doctrine and practice, make it evident that when Christ conferred the power on the Apostles and their successors, He imposed no limit or restriction. But though the dogma is, therefore, clear, the question of discipline remains; and it may be of some interest to inquire whether she utilized her power to the fullest extent, or whether, in harmony with the ideals prevalent at the time, and considering the supreme importance of setting up in face of pagan ethics a high standard of Christian morality, she refused to grant her pardon to such crimes as were likely to bring the cause of Christ into odium or, at least, reflect discredit on the Christian name.

Did she reserve certain cases? Did she refuse to pardon idolatry, adultery and murder, and direct penitents guilty of these crimes to deal directly with God and work out their own salvation as best they might? Living Catholic writers, whose claim to orthodoxy and historical learning nobody will question,

have examined the matter thoroughly and seem to have no difficulty in asserting that she did.[1]

Their opinion, as far as evidence furnished by the particular period with which I am dealing is concerned —and it is during this period, especially, that the reservation, they maintain, was observed—is based principally on a few texts from Origen and Tertullian. The former, in his work, "On Prayer,"[2] develops St. John's remark about the "deadly sin"[3] into an elaborate proof that bishops overstepped their commission when they dared to pardon through penance the graver crimes. After quoting the text, "Whose sins you shall forgive," etc.,[4] he continues: "If these words are accepted without close examination, it would seem that the Apostles should be blamed for not remitting the sins of all. . . . We may with profit, however, take example from the (Old) Law. The priests of the Law are forbidden to offer sacrifice for certain crimes, so that the crimes for which sacrifices are offered may be remitted: nor will a priest (of the Law) . . . ever offer a holocaust for adultery or voluntary homicide or any other of the graver class of offences. . . So also the Apostles and the priests who are like them . . taught by the Holy Spirit know for what sins and when and how they should offer sacrifice, and for what others they should not they also know. . . . Some, I know not how, arrogate to themselves powers that exceed the sacerdotal

[1] *e.g.* M. Vacandard, *La Pen. Pub.*, p. 46, sqq. M. Batiffol, *Etudes d' Histoire*, p. 87, &c.

[2] C. 28, P.G., t. 11, col. 528-529.

[3] 1 John, v. 16.

[4] John xx. 23.

dignity, badly equipped probably in sacerdotal knowledge, and boast that they can forgive even idolatry and remit adultery and fornication, as though, provided they pray for those who have perpetrated these crimes, even the deadly sin should be loosed. They read not the text; 'There is a sin unto death: I do not say that anyone should ask for *it*.' Tertullian treats the matter in his tract "On Modesty." After attempting to find in the decree of the First Council of Jerusalem an apostolic sanction for his own opinions,[1] he states the present practice of the churches—"peace is not granted by the churches to those guilty of idolatry or murder"[2]—and concludes, of course, that the same discipline should be enforced against adulterers. In various passages of this same work he returns to the argument.[3] Apostrophizing the practice of Callistus and his followers, he inquires ironically, "What doest thou, gentlest and humanest discipline? Either to all these (idolaters, etc.), will it be thy duty so to be, for 'blessed are the peacemakers,' or else, if not to all, it will be thy duty to arrange thyself on our side. Dost thou, once for all, condemn the idolater and the murderer, but take the adulterer out from their midst —(the adulterer) the successor (in the Decalogue) of the idolater, the predecessor of the murderer, the colleague of each. It is an acceptance of persons: you have

[1] Acts, xv-29. Tertullian's citation is aptly described by Batiffol as "the most ingenious of the False Decretals" (*op. cit.*, p. 85.)

[2] *De Pud.* xii., 11. "Neque idololatriæ neque sanguini pax ab ecclesiis redditur."

[3] *e.g.* xxii., 11., "Whatever authority restores ecclesiastical peace to the adulterer and fornicator the same will be bound to come to the aid of the murderer and the idolater in their repentance."—cf. all chap. v., vi., 8, ix., 9, ix,. 20, xix., 27,, &c.

abandoned the penitents who need mercy most."[1] The decrees of a few later Councils[2] are also quoted to the same effect: with these however, especially as they can hardly be regarded as expressing the feeling of the universal Church, I am not at present concerned.

These testimonies have their weight. They indicate a strictness and severity of discipline with which we find it rather difficult, at the present day, to sympathize; a strictness and severity, too, which should put us on our guard against any sweeping *à priori* condemnation of theories formulated by men who have made a special study of those phases of early Christian thought. But they are hardly, after all, decisive. While making all due allowances for the rigorous principles of the time, we should remember that St. Ignatius promised pardon to "all penitents:"[3] that Irenaeus regards the public penance and (apparently) reconciliation of the fallen women as quite in accordance with the ordinary course of things;[4] that Dionysius of Corinth writes "to the Church of the Amastrians and the other churches of Pontus" directing them without any hint of reservation to "receive back kindly all who have been converted from any falling away, whether crime or heretical depravity;"[5] that Origen himself, in the passage quoted, admits the existence of the opposite custom,[6] and in his

[1] *De Pud.*, v. 15.

[2] *e.g.* Arles (314 A.D.) c. 22; Elvira cc., 1, 2, 3, 7, &c. (same year).

[3] *Ad. Phil.*, c. 8, v. p. 6.

[4] *Adv. Haer.* L. 1, c. 13; n. 5, 7. P.G., t. 7, col. 588, 592.

[5] Eusebius, *H.E.* L. 4, c. 23; P.G., t. 20, col. 385.

[6] *De Orat.*, (v. *supra*), c. 28.

work against Celsus seems to have quite forgotten the stricter view and to champion the unrestricted exercise of the Church's power :[1] that St. Cyprian, in his letter to Antonianus, wonders at "the obstinacy of some men who think that penance should not be granted to the lapsed nor pardon to the penitent, although it was written, 'Remember whence you have fallen and do penance'"[2]—a very strange remark on his part, if his own predecessors of fifty years before had all been advocates of the same practice: that, in the preceding chapter of the same letter, he tells us that, "in the time of his ancestors (probably about the year 200 A.D.) some of the bishops held that the peace of the Church should not be granted to adulterers, and shut them out from penance altogether, yet did not, on that account, fall away from their fellow-bishops or break the unity of the Catholic Church," indicating that the liberal practice was the commoner, and that there was a slight disposition to regard its opponents with suspicion;[3] that Clement proclaims sacramental pardon for "any" Christian who "after his call to the faith has been cunningly circumvented by the devil" and has "fallen into any sin"[4]: that the *Didascalia* makes no mention

[1] L. 3, c. 51—"Those who lead dissolute lives . . . they (the Christians) exclude from their communion . . . They lament, as dead, those who have been vanquished by licentiousness or any (other) similar sin, because they are lost and dead to God, and receive them afterwards as being risen from the dead if they manifest a becoming change."

[2] *Ep.* 52, *ad Ant.*, c. 22, P.L., t. 3, col. 787,

[3] His silence in regard to Rome, when dealing with the sterner practices of ancient times, may not be without its significance.

[4] *Strom.*, L. 2, c. 13, P,G., t. 8, col. 996,

whatever of any restriction ;[1] that the views expressed in Tertullian's *De Pudicitia* involved, as he tells us himself, a rejection of the tenets he had held as a Catholic ;[2] that, finally and chiefly, the Roman Church, all through the period, ranged herself on the side of mercy and offered a determined opposition to this particular development of puritanical principles. Hermas, in the middle of the century, had expressed her doctrine, and, as far as I can see, no evidence has been produced to show that she ever came to take a stricter view of the Gospel teaching or was ever inclined to sympathize with the Montanists' dream of impossible perfection. Views at variance with her own were gradually introduced, and, when the discrepancy became too glaring to be tolerated any longer, Callistus reaffirmed the doctrine of the Church. The arguments and parables on which, as we may gather from Tertullian's philippic, the decision was based, are, when logically applied, clearly inconsistent with the existence of a general reservation of any kind ; and I have no doubt but that the Pope was fully aware of the fact and meant his decision to apply all round.[3] Such, at all events, appears to have been the opinion of the author of the *Philosophumena* ; he attacks Callistus for asserting that "all men's sins are

[1] ii., 12-18.

[2] "I blush not at an error which I have ceased to hold (non suffundor errore quo carui), because I am delighted at having ceased to hold it. . . No one blushes at his own improvement (Nemo proficiens erubescit.") *De Pud*, I. 11.

[3] This is confirmed by the fact that the Novatians, who at first denied pardon merely to sins of idolatry (v. Cyprian's letters) were soon logically driven to refuse it to all mortal sins. Cf. Acesius' statement at Nice, "Remission (of sins unto death) belongs not to the priests' power but to God's). Soz. *H.E.*, I. 22, t. 67, col. 925.

pardoned by himself," and that he is prepared to forgive "whatever atrocity the seductions of others may have led a Christian to commit." [1] Why Callistus mentioned only the case of adulterers must remain to some extent a mystery. But an explanation may be suggested. At the time the decision was issued—about the year 218 A.D.—the Church was enjoying an interval of peace, for Septimius Severus had died seven years before and the world as yet knew little of Maximin the Thracian. Now, since, as far as we can judge, the early Christians were men of a practical turn of mind and not at all addicted to the discussion of imaginary dangers, it would only be during the periods of active persecution, when the fear of death or torture shook the principles of many, that the question of the proper treatment of idolaters was likely to arise. Murder was presumably at all times a crime of very rare occurrence in the life of the faithful. Consequently, at the time Callistus was called upon for a decision, the attention of those responsible for discipline would be directed mainly to the third class of capital offenders, and the sin of impurity would, generally speaking, be the only one to which the stricter principles, applicable in theory to all three, would come to be applied in practice. I am, therefore, inclined to hold that, though the Pope spoke expressly of only one class of sin, he really applied his principles to all; [2] and that Tertullian's charges of inconsistency, if aimed not merely at the provincial

[1] P. G., L. 9, c. 12, t. 16, col. 3386 (v. *supra.*)

[2] Later on, the Council of Elvira is *more* liberal in regard to sins of the flesh than to those of idolatry and murder (compare c. 14 with cc. 1, 2, 73, 75).

churches around Carthage but at Callistus and his church as well, must have been due rather to the imagination of the writer than to the actual discipline as administered at Rome. The tendency of the time, it is fairly clear, was in the direction of more liberal views and greater kindness to the sinner. It is rather difficult, therefore, to avoid suspecting, in some degree, the good faith of a man who attributed to the Pope, champion as he was of the gospel of mercy, a stricter view in regard to idolatry and murder than he had himself maintained fourteen years before, while he was still a member of the Catholic fold and a sympathizer with its principles. Without making any distinction between different degrees of guilt he advocated strongly the humaner principle. "God," he said—speaking of the "first" penance, which, in its effects, was very like the "second"—"who has, for all sins of flesh or spirit, deed or will, threatened penalty by means of judgment, has engaged to grant pardon by means of penance: He would not threaten unless He would forgive."[1] Callistus himself could hardly have said more.

The letters which, thirty years later, when the Decian persecution gave rise to an unparalleled crisis in the Church, were sent from Rome to Cyprian, though they fall outside our period, throw light on customs which, according to the most moderate calculation, must have extended backwards at least to the time of Callistus. "The (Roman) Church," the first letter states, "stands firm in the faith. . . It

[1] v. p. 11.

any, who have fallen into this temptation (idolatry), are overtaken by sickness and do penance for their act and desire communion, you must by all means come to their aid."[1] "We here have sought," so the second runs, "to preserve this moderation, . . . and have determined that, before the election of our bishop, no innovation is to be introduced . . . so that in the meantime such cases as admit of delay shall be held in suspense, but we shall, in the case of those whose approaching dissolution does not allow us to put them off, come to their aid with caution and solicitude when they have done penance and have professed again and again their detestation of their crimes, and have, with tears, groans, and weeping, exhibited all the signs of a sorrowing and repentant spirit."[2] True, they exhibit no great anxiety to facilitate the speedy pardon of those who were in no special danger of death: "We have separated from us those who have sacrificed to idols, but we have not, therefore, completely abandoned them; we have exhorted them, and exhort them still, to do penance with a view to gaining indulgence from Him who can grant it, fearing (as we do) that they may become still worse if we forsake them altogether."[3] Their action, however, in view of the preceding quotations, must be interpreted as springing from what they regarded

[1] N. 2 among St. Cyprian's letters: P.L., t. 4, col. 227. The word "subvenire," which I have translated "come to the aid of," is employed in the same context of the help given to catechumens in baptism, "catechumeni apprehensi infirmitate . . . iis subveniatur," and implies, of course, a real remission of sins through the sacramental efficacy of the penitential rite. It is employed also to indicate the forgiveness of sin *by God* (v. Celestine's letter, chap. V. *infra*).

[2] Cyp. xxxi. 8, P.L., t. 4, col. 315. [3] *Ep.* 2, t, 4, col. 227.

as the special circumstances of the case and the general exigencies of discipline rather than from a conviction that the Church should, in all circumstances, refuse to exercise its powers over capital offences. Though careful to confine the administration of the sacraments to cases in which the penitent gives clear indications of sorrow for his sin, there is, running through both letters, a strong denial of the principle of reservation. And when we remember that these men were the rulers of a Church which, as the rebaptism controversy a few years later demonstrated, clung most tenaciously to the principles of antiquity, that they affirm that principle in the letters before us,[1] and that many of them must have been active members of the Church when Callistus published his famous "edict," we shall have little hesitation in asserting that their declarations were the faithful reflex of the doctrines he had held himself.

With regard, however, to one class of sinners, those, namely, who had spent all their lives in criminal indulgences and only asked for the sacraments at the last moment, it must be granted that the general discipline of the early Church was one of extreme severity. Absolution, it would seem, was generally denied, and the sinner, though taken under the care of the Church and directed as to the course he should pursue, was left to a great extent to himself to deal directly with God as best he could. Whether these rigorous measures were adopted by the Roman Church we cannot say, for the contemporary evidence is too vague to warrant a decision; but subsequent developments

[1] "Nihil innovandum" (xxxi. 8).

would seem to indicate that they were not altogether disapproved.[1] A letter of Pope Innocent I. throws some light on the question. I may be pardoned for quoting it, for, though it was written long after our period, it deals expressly with early practices and, presumably, with those of the Church with which the writer was himself most closely associated. Exsuperius, Bishop of Toulouse, had inquired of the Pope what attitude should be adopted towards "those who, having given themselves up all the time since their baptism to incontinency and pleasure, seek at the end of their lives both penance and reconciliation:" the Pope replied:

"There were two courses. the earlier one, more strict, the later more kind and tempered with mercy. The upholders of the earlier course maintained that penance should be given, but communion denied. For, since during those (early) times there were frequent persecutions, the fear was that a ready concession of communion would leave men certain of securing reconciliation in any case and might, therefore, have the effect of not restraining them from succumbing to temptation. Consequently it was the correct thing to refuse communion, and, in order not to deny absolutely everything, grant them penance alone. This more difficult remission (of sins) was demanded

[1] Cf. St. Cyprian's statement that his own principles, which certainly included the denial of sacerdotal absolution to sinners of this description ("He is not worthy to receive comfort at death who never thought of his death himself." *Ep. ad Ant.*, c. 23, P.L., t. 3, col. 790) were in harmony with those of the Church of Rome. "On this matter we wrote to our colleague Cornelius, and he, with very many of his fellow bishops, held a council and . . . maintained the same opinion as ourselves" (*ib.*, col. 767).

by the circumstances of the time. But, as soon as our Lord gave peace to his churches and fear of persecution had passed away, those in authority determined, through the mercy of God, to grant communion to the dying as a kind of viaticum to help them on their way, lest we (Catholics) should seem to follow the rigour and cruelty of the heretic Novatian, who refused them pardon. Let them, then, be granted penance, and a last communion as well, so that men of this description may, through the Saviour's mercy and even at the end of their days, be freed from eternal damnation."[1] This passage may, at first sight, seem slightly mysterious. But we should guard against attributing to the terms employed by Innocent the exact meaning they bear at the present day. The "granting of penance," according to the early terminology, did not necessarily mean the granting of sacramental absolution, but the assignment of a penitential discipline which was generally undertaken before absolution, and would in ordinary circumstances lead up to it:[2] "communion" and "reconciliation" meant practically the same thing, namely, the grant of formal absolution and "the peace of the Church with the Eucharist to which it gave a right."[3] All this is indicated even in the letter quoted. For, as

[1] Innocent I., *Ad Exsup. Toles. Ep.* 6, c. 2, c. ii. Migne, P.L., t. 20, col. 499.

[2] Cf. Cyp. *Ad Ant.* c. 22 (quoted p. 29), &c., and see (*infra*) chap. VII.

[3] "Je ne crois pas qu'on puisse montrer qu'on ait refusé l'Eucharistie dans l'antiquité à ceux à qui l'on accordait l'absolution." Tillemont quoted and approved in Migne, *Theol. Curs. Comp.*, &c., col. 362. So Morinus L. 4, c. 21-22. The error of the Novatians unquestionably consisted in the refusal of *sacramental absolution*, yet it is continually spoken of as a refusal of *communion*, cf. Socrates *H.E.*, L. 5, c. 19. So even to-day we call the eucharist "communion."

Innocent states, the older practice seemed to favour the teaching of Novatian "who refused not (merely communion but) pardon"—a statement that would hardly be correct had the practice implied the refusal not of pardon but merely of the Eucharist. It is clear, moreover, from Innocent's words that the direct and immediate effect of the later discipline which he favours was the liberation of the penitent "from eternal damnation"—a statement, again, which he could hardly make if, apart from the special concessions involved in the more merciful practice, the sinner had already, through sacramental absolution, been freed from the guilt of mortal sin and the consequent punishment of hell. Innocent, in fact, makes it evident throughout that, according to his view at all events, it was a general custom in olden times to deny sacramental absolution to the special class of sinners with which the bishop's inquiry was concerned.[1] From the fact that the Pope, when consulted regarding the proper attitude to be adopted towards the incontinent, replied by detailing the treatment of idolaters, Vacandard concludes that the "same rigorous regime must have been in early times applied to both categories of sinners:"[2] the conclusion, I believe, is correct, but it tends to strengthen the presumption which Vacandard does not share,[3] that Callistus' principle was intended to cover, at least impliedly, all kinds of capital offences.

With the opinion, therefore, that there was about

[1] The commentator in Migne's *Patrology* agrees, P.L., t. 20, col. 499. V. also *Theol. Curs. Comp.*, xx., col. 466.

[2] *La. Penitence Publique*, p. 49.

[3] *Ib.*, p. 47.

the year 200 A.D. a universal reservation of certain sins I cannot wholly agree.[1] Without venturing to question the evidence on which the opinion is based or to under-estimate the general spirit of rigour that prevailed, I am inclined to think that the Roman Church was true to the milder discipline of Christ and granted pardon to the truly penitent, no matter how serious their offences may have been. A long time passed before the question was formally submitted to the supreme tribunal for an authoritative decision, and adherence to the stricter view was not regarded as a test of anti-Catholic opinion.[2] But when the refusal of pardon became so common as to seriously threaten the unity of Catholic discipline, if not to encourage scepticism in regard to the dogma itself, the Pope intervened to voice the feeling of the Church and emphasize the gentler spirit that should characterize those who offered consolation in the name of Christ.

[1] Dr. Lea can merely assert that "it may perhaps be assumed . . . that, during the first two centuries, the Church, or at least a portion of it, resolutely refused reconciliation for the three crimes." Vol. 1, p. 18.

[2] The early Montanist doctrine that certain sins were beyond the power of the Church must have arisen from a pretty general practice of refusing absolution in these cases. (See Vacandard's scholarly article on *Absolution* in the *Dictionnaire de Théologie Catholique.*)

CHAPTER IV.

The Public Penance.

"Prosternendi et humilificandi hominis disciplina."—Tertullian.
"Cum lavat peccator in lacrymis stratum suum et fiunt ei lacrymae panes die ac nocte."—Origen.

Could a Catholic of our time go back to the days of the infant Church and live for a while as the early Christians did, the aspect of his new life that would probably surprise him most would be the open publicity with which the Church of the time invested the penitential acts of certain classes of offenders and the well-defined line of division she drew between the one sinner who did penance and the ninety-nine who needed it not. In harmony with the spirit of these later days, the Church mercifully guards the repentant sinner and. as far as may be, shrouds in secrecy the path he has to follow; no matter how serious his crimes have been, his return to God may be all but unnoticed by the world. It was not quite the same in earlier times. Often the way was thorny and steep, and the eyes of many were upon it; nor did men then shrink quite as much as they would now from inviting the attention of their fellow-Christians when they tried to regain the friendship of God and to win His pardon for the past.

Many of the ancient writers have left us a description of the penitential exercises imposed on those whose sins, to the mind of the Church, were too grave to be fully expiated in any less drastic fashion. To Tertullian we are indebted for one of the most vivid

and vigorous sketches. "That act (the external discipline)" he tells us, "is the exomologesis whereby we confess our sins to the Lord, not indeed as if He were ignorant of them, but inasmuch as by confession satisfaction is settled; of confession penance is born: by penance God is appeased. And this exomologesis is a discipline for man's prostration and humiliation, enjoining a demeanour calculated to move mercy. With regard also to the very dress and food, it commands (the penitent) to lie in sackcloth and ashes, to cover his body in mourning, to lay his spirit low in sorrows, to exchange for severe treatment the sins which he has committed: moreover, to know no food and drink but such as is plain, not for the stomach's sake, to wit, but the soul's: for the most part, however, to feed prayers on fastings, to groan, to weep and moan unto the Lord his God, to roll before the feet of the priests and kneel to God's dear ones: to enjoin on all the brethren to be ambassadors to bear his supplication before God."[1] This is hard, he grants, on flesh and blood. "But among brethren and fellow-servants, where there is common hope, fear, joy, grief, suffering, because there is a common spirit from a common Lord and Father, why do you regard them as other than yourself? Why flee from the partners of your own mischances?"[2] Some of the penitents were not allowed to enter the Church,[3] their exclusion sometimes extending over years, sometimes continuing

[1] *De poen.* ix., 3-4.

[2] *Ib.* x., 4-5.

[3] *Ib.* vii., 10, "collocavit in vestibulo, &c.," *De Pud.*, iii., 5, "adsistit ad fores ecclesiae, &c."

for life.[1] Origen similarly mentions among the means for securing pardon "the laborious way of penance in which the sinner bedews his couch with tears, when tears are the bread of his days and nights, and when he is not ashamed to reveal his sin to the bishop of the Lord."[2] We have no contemporary document for Rome, but Sozomen's description of the penance administered there at a later date may be taken as representing with a fair degree of accuracy the custom of earlier times. It was less severe than in Carthage. The penitents were allowed to assist at the Church's liturgy, but were separated from the ordinary faithful and formed a group apart. When the office was over they threw themselves on the ground and prayed aloud for God's forgiveness. The bishop came among them and in company with all present joined with tears and groans in the penitents' prayer for mercy. He then recited certain prayers over them, and they returned home to perform, for the most part in private, the penitential works he had imposed.[3] Yet, there is a touch of severity in Eusebius' accounts of the penance of the schismatic Natalis at the time of Pope Zephyrinus (201-217 A.D.) "Dressed in sackcloth and covered with ashes, casting himself with tears in suppliant attitude at the feet of the bishop Zephyrinus and embracing the knees not only of the clergy but of

[1] Irenaeus (*Adv. Haer.* L. 1, c. 13, n. 5) says the deacon's wife, corrupted by Marcus, "spent ***all the time*** in exomologesis weeping and mourning for the virtue she had lost." (P.G., t. 7, col. 588,) The later councils appointed lifelong penances for several crimes—*e.g.*, Ancyra, Elvira, Arles, &c.

[2] *In Lev. Hom.* II., c. 4. P.G., t. 12, col. 417-18.

[3] *H.E.*, L. 7, c. 16, t. 67, col. 1460, 1461.

the laity as well; in such a moving plight that the Church of the merciful Christ was seized with pity and melted by his tears. Many prayers he uttered; showed the traces of wounds he had received (from the angel in the vision), and finally, with great hesitation, was admitted to communion."[1]

There was a similar variety of practice in the East. In Syria, for example, if we may take the *Didascalia* as representing the custom there about the beginning of the third century, the public discipline was of the mildest form. "Weeping and groans and tribulations"[2] are, indeed, as elsewhere, the lot of the penitent: but the direction to the bishop runs as follows:—"When you see that a man has sinned, order him, in sorrow and anger, to be conducted outside: and when he has gone out, let your assistants reproach and upbraid him, and, after judging his case, enter and supplicate on his behalf. . . . And then do you order him to enter, and having examined whether he is doing penance and is worthy to be received into the Church, impose on him days of fasting according to his sin, two or three or five or seven weeks, and then dismiss him with due instructions and reprimands; tell him to be humble and to pray and supplicate (God) during the days of his fast so that he become worthy of the remission of his sins."[3]

In Constantinople, the appointment of due penance devolved, Sozomen tells us, from the very earliest

[1] *H.E.*, v., 28, P.G., t. 20, col. 513.

[2] II., 13-1 (Funk's Ed.)

[3] II., 16, 1-2, (Funk's Ed., p. 60): so the *Const. Apost.* (*ibid.*)

times on the Priest Penitentiary who heard the confession of the penitent,[1] and the evidence tends to show that the general discipline found a much closer parallel in Syria than in Carthage. But in Asia Minor there was a rigour exhibited that would satisfy even the savage zeal of a Tertullian. There is no evidence for the year 200 A.D., but the "Canonical Letter"[2] of St. Gregory Thaumaturgus speaks for the middle of the following century, and we have no reason for suspecting that the attitude of the Church towards sinners had in the intervening fifty years materially changed. He gives us the first account of the various classes of penitents, the hearers, kneelers and assistants—the additional grades of weepers being added later on.[3] They had to endure, especially during the first stages, the most trying humiliations. From St. Basil, who in after years elaborated the system, we learn, for example, that a murderer was obliged to weep and groan for twenty years before being allowed to receive the Eucharist, and had, during the first four, to "stand outside the doors of the house of prayer begging the prayers of those who entered and confessing his offences.[4]

Generally speaking, the imposition of penance was

[1] *H.E.*, L. 7, c 16., Socrates (*H.E.*, L. 5, c. 19, prefers to regard the year 250 A.D. as the date of the first appearance of the Priest Penitentiary. But the point is one of little importance. The bishop would have been guided by the same principles.

[2] P.G., Migne, t. 10, col. 1019.

[3] As far as we can judge from the evidence, these "grades" of penitents as such had been established neither in the East nor West at the beginning of the third century.

[4] *Amphilochio de canonibus*, *Ep.* 217, c. 5 (M., P.G., t. 32, col. 797).

a function reserved to the bishop;[1] the Priest Penitentiary in Constantinople and the "Steward of Penance"[2] in Asia Minor, acted, however, in his place. And though there may appear at first sight to have been cast-iron rules for the regulation of discipline, it was a pretty generally recognised principle that circumstances altered cases and that everything depended, in the last resort, on the prudence and discretion of the bishop.[3]

From even this rapid sketch of the early discipline it will be seen that the identification, so much insisted on by Protestant controversialists,[4] of penitents and fully excommunicated persons is without foundation in the records of the time. It is rather a play upon words than a serious statement of historical fact. The penitents were excluded from the Eucharist, and might therefore be said to be subjected to a kind of minor excommunication. But they shared to some extent in the social life of the Christian community, and were, even where the discipline was strictest, admitted, during a portion of their penance at least, to even the most sacred functions of the Church.[5] True, they

[1] So the *Didascalia* (*v. supra*): cf. Origen—"Abjiciatur per episcopi sententiam." *Hom.* 14 *in Lev.*, t. 12, c. 553. *v.* p. 120.

[2] Cf. Greg. Nyssa *Can. Ep.*, c. 7.

[3] This is, at least, the explicit arrangement some time after; cf. Nice, c. 12; Ancyra, can. 5; III. Carthage, c. 31; Neocaesarea, c. 3. So Basil, Gregory of Nyssa, &c.

[4] *e.g.* Dr. Lea (*op. cit.*), Vol. I., p. 11.

[5] For the Western Church cf. Dr. Koch (*Theologische Quartalschrift*, 1906; iv., 481-533): M. Boudinhon (in the *Revue d' Historie et de Littérature religieuses*, 1902, p. 1-26.); M. Batiffol (*Bulletin de Littérature Ecclesiastique*, Jan., 1902, p. 5-18): M. Vacandard (*La Pénitence Publique*, pp. 17-23).

were occasionally excluded from the "house of prayer," but, even when they lay in sackcloth and ashes outside the gates, they were allowed to communicate with their fellow-Christians, begging their prayers and receiving help and consolation from all, clergy and laity alike.[1] Strange irony of fate that those who shed so many tears over the misguided rigours of the Early Church would themselves inflict on the penitents a social ostracism which the Church herself never thought of imposing. Tertullian, it must be allowed, had no superfluous pity for the penitent class, but he makes it clear that however low they had fallen they were still ranked at least among the members of the Church.[2]

This glimpse of the early ages is not without its lesson. It teaches the strength of faith and the deep realization of the malice of sin that should be marks of the Christian's calling. Yet, we should be on our guard against the thought that the Church has forsaken her ideals or lowered the standard of Christian holiness. She is the heavenly appointed mistress of the religious life and knows best when its interests

[1] They are called "fratres" by S. Cyprian (*pass*). He distinguishes them expressly from the excommunicated (Ep. 54 to Cornelius).

[2] He draws a distinction, *e.g.*, between adulterers, &c., and men guilty of unnatural crimes, and says the *latter* are to be banished "altogether from under the roof of the Church" ("verum omni ecclesiae tecto submovemus."), *De Pud.*, iv., 5. A sentence was required for the purpose. "Judgment is passed with great care and consideration . . . if any one has *so offended* that he should be banished from the communion of prayer, meeting, and all sacred association," *Apolog.*, c. 39. The excommunicated might be *admitted* to the ranks of the penitents, *Const. Apost.*, L. 2, c. 43-1. See Morinus, *De Poen*, L. 8, c. 23, n. 6: *Didascalia*, II., 16; II., 14-1; Migne, *Theol. Curs. Comp.* xx., col. 459, sqq., 478, sqq., &c., &c.

postulate a milder discipline. She has made the path of the ordinary penitent shorter and smoother than in earlier days, but she has now within her fold religious orders of men and women whose life is one long penance for the sins of the Christian world, and many a saint in the secular life whose prayers and works are as dear to Christ and as strong a petition for general mercy as were ever the penitential afflictions of His earliest followers.

CHATER V.

How Far Public Penance Was Necessary.

" . . . Scias adversus gehennam . . . esse adhuc in exomologesi secunda subsidia."—TERTULLIAN.
"In gravioribus criminibus."—ORIGEN.

THE rigour of the early Church is in such strong contrast with the gentler spirit of our own time, and the world in general has so far outgrown the grim gospel of corporeal penance, that even Catholic writers are tempted to minimize the severity of the ancient discipline and to confine within the narrowest possible limits the conditions that justified its infliction. Children of a milder age, they find it hard, and think it wrong, to throw aside the developed conclusions of modern life and think the thoughts of an earlier epoch. Unconsciously perhaps, they are inclined to forget the undoubted development of religious thought and to apply their own standards of right and wrong to an age that was heir to less wisdom than ours. Many of them, for example, would maintain that none but the three capital offences, of which there is mention so often in the early records, were ever visited with public penance; others would go further still and confine it to public sins of these three classes; and lastly, not a few, with an eye to the fitness of things and a side glance at principles that afterwards assumed a prominent place in ecclesiastical discipline,

would incline to the theory that, while public crimes in all circumstances were likely to necessitate a public atonement, the sinner who had sinned in secret was absolved by the priest in private and screened from the gaze of everyone else.

With these opinions I have a great amount of sympathy. I fully admit that there were principles at work in the early Church that tended to restrain the infliction of public penitential discipline. But I feel that the circumstances of the primitive Church and the evident severity of her practice go far to discountenance any theory that is not based on the early records, and that the evidence to hand, however unsatisfactory in many respects, postulates a wider extension of public penance than is consistent with the rigid application of the theories mentioned.

And, first of all, abstracting for the present from the varying degrees of guilt and confining our attention to those who came to Penance for the first time, it is fairly clear that secret sins were not exempt. On this point we seem to have the unanimous testimony of our various witnesses.

St. Irenaeus is our first. He is relating the facts we have spoken of before. "Certain heretics *secretly (clam)* corrupted the women who learned this doctrine from them. And many women who had been persuaded by them and who afterwards returned to the Church with their other crimes confessed this also." "... Some did penance publicly, but others, whom shame would not allow, and who in a way despaired of obtaining God's pardon, either fell from

the faith entirely or remained in a state of indecision."[1] The sin in question was secret; Irenaeus expressly says so, and the circumstances would lead us to suspect the fact in any case. Now he does not, I grant, explicitly state that the law of the Church required a public expiation of secret offences. But, I may remark, he is not concerned with the law of the Church; he is merely stating facts. And if one thing is clear about these women, it is that, as a matter of fact, they either performed the public penance or were reduced to such a state of despair as in many cases to lose the faith. How this could be, if the regulations of the time did not prescribe a public penance, or if, in addition to the rigorous method, there was a parallel and milder one—such as we have at present—for sins of this description, I cannot well understand.

It may be said that the sin though secret at first became public afterwards. That may have been true in particular cases; I can hardly imagine it was so in all. If it became public at all, Irenaeus gives the reason: "the women confessed it." Now, apart from the rather fanciful hypothesis that each and every one of these women proclaimed her sin in public without reference to a sacramental pardon, the confession must have been made in accordance with the rules of ecclesiastical discipline. And if the confession of a secret sin in accordance with the rules of ecclesiastical discipline be sufficient to render it public

[1] *Adv. Haer.*, L.I., c. 6. n. 3, t. 7, col. 508; c. 13. n. 7, *ib.*, col. 592. The persons referred to in the two extracts were different but the sins and circumstances were alike. So, too, in the case of the deacon's wife, *ib.*, "Partim publice poenitentiam egerunt."

then, I must confess, there would be in the ideal community no public penance for secret mortal sins. And for a very good reason. There would be no such thing as a secret mortal sin.

But that the offence was secret in the technical sense no one really seems to deny. Bellarmine, for example, says: "Irenaeus is here concerned with an occult crime, nay even an occult desire, which could not become known except through the confession of those women." [1] He quotes Irenaeus' statement in reference to Cerdon, who went through the exomologesis about the middle of the second century for secretly teaching heresy, and concludes: "Consequently (Irenaeus) is talking in both places of the confession of secret or occult crimes." [2]

Now Irenaeus was well acquainted with the customs both of the Eastern and Western Churches. His language, therefore, I believe, justifies the assertion that towards the end of the second century it was a recognised principle of Church life, both in the East and West, that for a Christian guilty of a secret but unquestionably mortal sin, there were two, and only two courses open: either to submit to public penance and secure the sacramental absolution of the Church, or shirk the public penance and cling to the slender hope that perhaps God's pardon could be gained without it.

This may seem a hard doctrine. Yet it is th. doctrine of Tertullian also.

[1] *De Poen*, L. 3., c. 6.
[2] *Ib.* The writer of *Dissert.* iii., *Art.* vii. on "Irenaeus' Doctrine on Penance" insists strongly against Protestants on the secret character of the sin in question (Migne, P.G., t. 7, col. 325).

In the address to the Catechumens already mentioned Tertullian lays down the principle that "for all crimes of flesh or spirit, deed or will, God has engaged to grant pardon through 'penance.'"[1] There is no hint of separate treatment for secret sins; "flesh and spirit, deed and will," are bound together in the most uncompromising fashion; there is one remedy for all and the remedy is penance. What is penance? According to Tertullian it is two-fold: "first," that is the penance of Baptism; and "second,"[2] that is Penance properly so-called or, as we should say, the "Sacrament of Penance." With regard to this second "penance"—the only one with which we are concerned here—Tertullian states farther on[3] that it must not be merely internal; it must be externated in a particular "act." Is it a private "act" for secret sins? Not at all. "The act," he immediately[4] tells us, "is the 'exomologesis,'" and he launches at once into a vigorous description of the public penance. I have quoted his words already.[5]

In fact, feeling as strongly as anyone of the present day could that it was precisely the penitents who were guilty of merely secret sins that would be most inclined to rebel against his teaching, he proceeds at once to address them specially and to justify even in their case the rigour of the practice. "Yet (we see)" he says, "most men either shun this work as being a public exposure of themselves, or else defer it from day to day. I presume (they do so as being) more mindful of modesty than of salvation;

[1] *De Poen.* iv., 1. [2] *Ib.*, ix., 1, [3] *Ib.* ix., 1. [4] *Ib.* ix., 2. [5] p. 47.

just like men who, having contracted some malady in the more private parts of the body, avoid the privity of physicians and so perish with their own bashfulness. It is intolerable, forsooth, to modesty to make satisfaction to the offended Lord! . . . Truly you are honourable in your modesty; bearing an open forehead for sinning but an abashed one for deprecating . . . At all events the time when, if ever, its danger is serious is when it is a butt for jeering speech in the presence of insulters, when one man raises himself on his neighbour's ruin, and when there is upward clamouring over the prostrate. But among friends and fellow-servants, why do you look upon them as other than yourself? . . . The body cannot feel gladness at the trouble of any one member; it must necessarily join with one consent in the grief and in labouring for the remedy . . . When, therefore, you cast yourself at the brethren's knees you are handling Christ, you are entreating Christ."[1] There is a suggestion of publicity in all this that speaks volumes. The remarks are addressed to a single sinner[2] who has manifestly committed only secret sins; yet the penance is to be performed, not in private nor even before a single priest, but in presence of many of the brethren. "Grand, indeed, is the reward of modesty, which the concealment of our fault promises us—to wit, if we do hide something from the knowledge of man,

[1] *De Poen.*, x., 1-2.

[2] In the original the words addressed to the sinner are all in the singular ("quid *tu* hos aliud quam *te opinaris*? Quid . . . *fugis*? Cum *te* ad fratrum genua *protendis*," etc.).

shall we equally conceal it from God? Are the judgment of man and the knowledge of God so put on a par? Is it better to be damned in secret than absolved in public[1]?" Some may maintain that this whole passage, even the rigorous antithesis in the closing question, may be explained in harmony with the theory of special and private treatment for secret sins. It may be; but, I am convinced, only at the expense of reading into a quotation a meaning that could never in fairness be read out of it.

Tertullian does not treat the question with equal minuteness in any other portion of his works. But the few scattered remarks that fall incidentally here and there are plainly dictated by the same conviction as is expressed so strongly in the tract on penance. Dealing, for example, with the parable of the lost drachma he says: "Is it not possible that, in accordance with the example of the drachma (lost and found again), even within the house of God, the Church, there may be some sins of a moderate character proportional to the small size and weight of a drachma which, lurking in the same Church, and by and by in the same discovered, forthwith are brought to an end in the same with the joy of amendment."[2] When Tertullian wrote these words he had, it is true, ceased to be a Catholic and was probably labouring to extend the strict exomologesis to a class of minor offences for which the Church imposed a milder discipline.[3] There is nothing to show, however, that

[1] *De Pœn.*, x. 7-8. "An melius est damnatum latere quam palam absolvi?"

[2] *De Pud*, x., 20. "quae ibidem delitiscentia mox ibidem et reperta."

[3] p. 78.

his views on the treatment of secret sin, as such, differed from those of the men he attacked. Now the sins in this case are manifestly secret, yet the process of expiation is termed a "discovery." I can hardly imagine that nothing more serious than a secret penance is contemplated, especially when I recall that, in the parable referred to, the woman "lights a candle and sweeps the house and seeks diligently till she finds the drachma. And when she has found it calls together her friends and neighbours, saying: 'rejoice with me because I have found the drachma I had lost.'"[1]

This is from the last chapter of Tertullian's address to the Catechumens: "If you shrink from exomologesis, consider in your heart, hell, which exomologesis will extinguish for you, and reflect first on the magnitude of the punishment that you may not hesitate about the adoption of the remedy. . . . Therefore since you know that after the first bulwarks of the Lord's baptism there still remains for you in exomologesis a second reserve of aid against hell, why do you desert your own salvation? Why are you tardy to approach what you know heals you?"[2] The words might serve as a text for the whole discourse; they are the sum and epitome of his teaching. He speaks straight to every Christian who after baptism has forfeited God's friendship, and there is no shadow of a distinction between secret and public sin. All sins, secret and public, are pardoned in Baptism; so are they also in Penance. Tertullian knew as well, and expressed as vigorously as any modern theologian

[1] St. Luke xv., 8-9. [2] *De Poen;* xii., 1-5.

could, the basic principle of the Christian sanction of morality that "hell is the penalty for all mortal offences, secret or public, of 'flesh or spirit, deed or will,'" yet he states without a note of hesitation that exomologesis—the *public* penance be it again noted—is the one and only escape for the Christian whose life has merited the pains of the damned. The alternatives are cruelly few, and the ultimatum to the sinner short and clear: "Let the drowning sinner cling to the plank"; "Eternal damnation or exomologesis."

In the voluminous writings of Origen there are many references to penance, but few to this particular aspect of the question. Yet we have got sufficient data, I think, to conclude that his principles, though perhaps a little less rigorous than Tertullian's, were in all important points pretty much the same. He apparently knows of only two classes of sins, the "lighter," expiated in penance time after time, and the "graver" which—whether secret or public, for he makes no distinction—were, as far as sacramental pardon was concerned, forgiven only through "the penance that was granted only once."[1] That the "penance that was granted only once" was the *public* penance no Catholic theologian, I imagine, will dream of questioning. His description of the various ways in which sin is remitted supports the same conclusion. "Hear now how many means for the remission of sins there are in the Gospels. The first is that by which we are baptised unto the remission of sins. The second is in suffering martyrdom. The third (pardon) is that granted through

[1] *Hom. xv. in Lev.* c. ii., P.G., t. 12, col. 561.

almsgiving. The fourth is that which we gain by remitting the sins of our brothers. The fifth is when a man converts a sinner from the error of his ways. There is a sixth remission, too, through abundant charity. And there is still a seventh, though a hard and laborious one, through Penance, when the sinner washes his couch with tears, and when tears are his bread both day and night, and when he is not ashamed to declare his sin to the bishop of the Lord and seek the remedy." [1] There are many interesting points in connexion with this quotation which will furnish a basis for discussion later on; here I am concerned merely with one. Though Origen analyses the process of remission with a subtlety which, I am sure, must have excited the envy of many a middle-age scholastic, he passes over a distinction which, had it existed, would have been clearer to the eye of the teacher and of more importance in practice to the taught than most of the others he has given—the distinction, namely, between the sacramental remission of secret and of public sins. Critics may meet us with the suggestion that the two penances were really so much alike that Origen was justified in regarding them as one. Yes; but is it not strange that these same critics will protest most vigorously if we attempt to identify them now? To me Origen's thought is clear. For the mortal sins of the fallen Christian, whether secret or public, capital or not, there is just one sacramental method of remission, and that method is the same for all. That method cannot be a private penance; else

[1] *Hom. ii. in Lev.*, c. 4, P.G., t. 12, col. 418.

he has left us without a description of the public discipline which most certainly was a prominent feature of the time. He is not giving a full description of the various methods; his meaning may not be so clearly defined as we could wish; but in his "hard and laborious remission," with its tearful vigils and protracted humiliations, we have—it can hardly be denied—another sketch of the early discipline of rigour, a companion picture to the "public penance" of Irenaeus and the exomologesis of Tertullian.

The same lesson is taught in his second homily on the 37th Psalm.[1] "He who for his sins makes confession to God . . . knowing what punishment awaits the sinner after death, is the author of the text 'My friends and neighbours have drawn near and stood against me,' explaining how much a man must suffer when he turns to penance and improvement of life, how his friends and neighbours desert him and stand away from him because he turns to exomologesis and sorrow for his sin." For all sins that entailed the penalty of hell—secret sins, of course, included—the penance was an exomologesis that of necessity[2] proclaimed the penitent's sinful state so clearly that even his friends turned from him in disgust. Could that be a private or secret penance? "If therefore," he continues, "a man of this kind, mindful of his crime, confesses the sins he committed and . . . disregards those who abuse him . . . and sneer at him . . . so that he refuse to hide and conceal his stains . . . and be a whited sepulchre, which without appears beautiful

[1] P G., t. 12, col. 1380-1. [2] "Quanta pati *necesse* est."

to men . . . but within is full of all uncleanliness and of dead men's bones, . . . and if the friends begin to detest the man they once admired and reject his friendship when he refuses to conceal his guilt, to these the text applies." The friends admired him at first: though he was a "sepulchre," he was at least a "whited" one. How could all this be if the crimes had not been secret?

I might quote many other passages to the same effect. But, since the result would only be to protract this section unduly, I prefer to content myself with one general observation. Origen often mentions the public penance and even applies to it Tertullian's favourite designation "exomologesis."[1] He enumerates the various classes of sins for which it was imposed, and, though these sins might manifestly be either secret or public, in no single instance, as far as I am aware, does he draw the distinction which modern writers are at such pains to emphasize.

Our remaining witnesses are few. The teaching of Callistus is known only from the pages of the *Philosophumena* and the *De Pudicitia*; but the fact that Tertullian has spared us a diatribe on the subject is a fair indication that the Pope's opinion coincided with his own. Though the *Didascalia* is silent on the subject, the absence of directions for the special treatment of secret sins is as suggestive as negative evidence can be.

The theory that exomologesis was confined to public sins is probably based on the supposition that it was

[1] *e.g.*, in the homily just quoted, "super his, ergo, consequenter dixit qui exomologesim . - - facit."

only in the case of public sinners that sufficient evidence could be adduced to compel them to undergo the public discipline. That supposition is, of course, correct.[1] But I am dealing with the case of willing penitents, and I think I may conclude from the foregoing statements that when the sinner freely confessed his guilt the fact that his sin was secret was regarded as quite immaterial. I recognise, of course, that it is within the bounds of possibility that most of the writers I have quoted may have intended the distinction all along, and yet, by some extraordinary consistent oversight, neglected to express it even when the occasion seemed to suggest a fuller explanation. But we are dealing with facts, not with speculations, and we are not, I submit, justified in attributing to them an opinion which they never took the trouble to express, nor in endeavouring to establish, as a fundamental canon of early Church life, a principle which, however consonant with the fitness of things, owed its introduction, after all, to the prudence of a later age which, with all its admiration for the piety of early times, was wise enough to dispense with the heroic, but rather dangerous, practices in which that piety occasionally found expression.[2]

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[1] Cf. Origen, "ubi enim peccatum non est evidens ejicere de ecclesia neminem possumus" (*Hom.* 21 *in Josua.*); cf. (two centuries later) Aug. *Serm.* 351, n. 10.

[2] There are traces of the principle in St. Augustine; "ubi contingit malum ibi moriatur malum." (*S.* 82, n. 11); "Multi corriguntur ut Petrus." (*S.* 351, n. 10). But it is only in later centuries that we find it expressly formulated: "Quorum peccata," says Raban Maur (*De Cler. Ins.* ii., 30, P.L., t. 101, col. 343), "in publico debet esse poenitentia, quorum peccata occulta sunt, etc." So Council of Arles

Though the Montanists ultimately extended their principles to all mortal sins, it was against the pardon of idolatry, adultery and murder that they raised their most vehement protest. From the consequent fact that these three sins are so often mentioned together in the literature of the early period not a few critics have drawn the inference that it was only on sinners guilty of one or more of them that the public penitential discipline was imposed. This theory has led to some astonishing developments. A close study of the early records has convinced many Catholic inquirers that there is no foundation in history for what I may term the "dualism" theory of penance, the theory, namely, of those who maintain that, side by side with the public discipline and public absolution, there was a parallel private and easier method of gaining sacramental remission of post-baptismal sin. Holding fast, therefore, to the theory mentioned, some have been betrayed into the rather uncomfortable position of asserting that, at the period with which we are concerned, the Church, in her discretionary exercise of the powers received from Christ, summoned only those guilty of these three sins before her tribunal and directed the faithful, in matters of less serious consequence, to make their peace directly with

(813), etc. Cf. "Towards the end of the seventh, or beginning of the eighth, century in the West when public penance for secret sins had been abolished, etc." Migne, *Theol. Curs. Comp.* xx., 444. Of the few earlier texts seemingly incompatible with the practice of public penance for secret sins, see M. Vacandard's remarks (*La Pen. Pub.*, p. 40). If incompatible with public penance, they are equally so with private, and are, in fact, used as such by Protestants (*v.* Roberts *Hist. of Conf.*, p. 50). They fall outside our period.

God.[1] When conclusions of this kind are formed, at variance with common sense and in direct opposition to the teaching of the Council of Trent [2] on the necessity of integral confession, we may be pardoned for calling in question the validity of the principle on which they are based.

And, really, when we come to consider the early evidence or even the small portion of it already adduced, we see that the historical basis of the theory is of the slenderest kind. Read the extracts from Tertullian and reconcile them, if you can, with the statement that all, except idolaters, adulterers and murderers, were exempt from exomologesis. For "*all* sins of flesh or spirit, deed or will" penance is the divinely-ordained means of pardon; and of strict post-baptismal penance, Tertullian tells us, exomologesis was one of the necessary elements. When we recall the fact that in the early Church, venial sins were rarely, if ever, submitted for sacramental absolution,[3] his meaning becomes clear: for all mortal sins public penance was the one and only remedy. The pains of hell are the penalty for each and every mortal offence. Tertullian knew it, yet he states definitely that, after Baptism, there is just one means of escaping hell, and that is submission to the

[1] M. Boudinhon, *Sur l'histoire de la pénitence à propos d'un ouvrage récent* in the July-August (1897) number of the *Revue d' Histoire et de Littérature Religieuses*, pp. 306-345). Cf. *Penitential Discipline in the Early Church* (Dr. Hogan) in the *American Catholic Quarterly Review*, July 1900, pp. 417-437.

[2] Sess. xiv., cap. v.: "Jesus Christus . . . sacerdotes sui ipsius vicarios reliquit tanquam praesides et judices, ad quos omnia mortalia crimina deferantur in quae Christi fideles ceciderint, quo, pro potestate clavium remissionis aut retentionis peccatorum, sententiam pronuntient."

[3] *v.* p. 82 sqq.

exomologesis. Shall we say in reply that Tertullian and his fellow-Catholics—for no one has suggested that the teaching in the *De Poenitentia* was not, in all its main principles at least, the common teaching of the time—knew of only three mortal sins, or considered it likely that a Christian, who just succeeded in avoiding those three, might without repentance escape hell in the end? The Church did not, indeed, define what precisely constituted a mortal sin in each particular sphere of human conduct. She may at the time have looked with comparative leniency on certain actions in which the wisdom of later times detected a deeper malice.[1] But that either he or the Church confined the number of mortal sins to three is a wholly incredible assertion.[2] He was blessed with a tender conscience, as his works and whole career testify. He had the Scriptures before him and could read the Decalogue. He can hardly be supposed to have shut his eyes to the sacred writers' denunciation of many practices that could not, by any process of ingenuity, be comprised in either of the three categories, nor to have forgotten St. Paul's terrible anathema: "Neither fornicators nor idolaters nor adulterers, nor the effeminate, nor liers with mankind, nor thieves, nor covetous, nor drunkards, nor railers, nor extortioners shall possess the kingdom of God."[3] Whatever Tertullian's characteristics were, a lenient outlook on

[1] Cf. S. Basil, *De Jud. Dei*, c. 7; P.G., t. 31, col 669; S. Gregory of Nyssa; *Ep. Can.*, c. 5, P.G., t. 45, col. 229.

[2] The Bithynian Christians of Pliny's time had grouped among the serious sins, "theft, robbery, breach of faith, and denial of deposits."—Pliny: *Ep*: L. 9, *Ep.* 97.

[3] I.Cor. vi., 9-10.

human life was certainly not among the number. When, a few years later, Callistus protested against the puritanical spirit that was invading the Church, Tertullian was among the first to raise the standard of revolt and to marshal together, with an almost fiendish delight, every blood-curdling text from the beginning of Genesis to the end of the Apocalypse.[1]

But we need not speculate. We have his own words. Though in his work on Penance he speaks with evident reluctance of the possibility of Christian sin and is very far from professing to enumerate in detail the various crimes for which his hearers might be obliged to seek, later on, the help of the "second penance," his remarks make it fairly clear that he had no intention of confining exomologesis to the three capital offences. "If you question (the possibility of pardon," he says, "unravel the meaning of 'what the Spirit saith to the Churches.'" He imputes to the Ephesians "forsaken love" . . . accuses the Sardians of "works not full": censures the Pergamenes for teaching perverse things: upbraids the Laodiceans for "trusting to their riches."[2] Now all these, and especially the last, were clearly outside the circle of the three. "The Spirit," he continues, "would not threaten those who refrain from doing penance unless He would pardon those who do it."[3] God, therefore, according to Tertullian, offers a second penance, for example, to the avaricious Christian who, as such, was

[1] In the *De Pudicitia* (*pass*).

[2] *De Poen.*, viii., i. (referring to Apoc., II.-III.) "Desertam dilectionem Ephesiis imputat: . . . Sardos non plenorum operum incusat, Pergamos docentes perversa reprehendit, Laodicenos fidentes divitiis objurgat." [3] *Ib.*, viii., 2.

not guilty of either of the three great crimes. But of the second penance, it will be remembered, the public exomologesis was a prominent part.[1]

His position is still clearer in the *De Pudicitia.* "Adultery and fornication shall not," he proclaims; "be ranked among the light and moderate offences," [2] implying that for some at least of the latter the Church was granting a pardon through the public penance. Though he differs with the Church in his refusal of a final and effective absolution, he grants, as she does, that penitents guilty of "homicide, idolatry, fraud, apostacy, blasphemy, impurity, and fornication and any other violation of the temple of God," should be subjected to the public ordeal.[3] The conclusion is clear. The Church of the period *was* inflicting public penance on, and granting effective absolution to, sinners guilty of " . . . fraud, apostacy, blasphemy . . . and any other violation of the temple of God." Comment on this is superfluous. We have the tomes of Lehmkuhl in embryo here. The Christian was summoned to the Church's tribunal to give an account of his deviations from the way of grace; if the defection was admittedly venial, he was probably directed to make atonement outside the sacrament: if certainly mortal, whether secret or public, capital or less, the public exomologesis was the next step in the way back to God. If it lay on the borderland between the two, a middle course, as we shall see, was probably adopted.[4]

[1] *De Poen.*, ix. [2] *De Pud.*, I., 19. [3] *Ib.*, I., 21; iii.; xix., 6. [4] *v.* p. 74 sqq.

We have a precisely similar argument from Origen. During a part of his life he scoffed at the idea that men could pardon the capital offences[1] yet he made no attempt, even during that time, to abolish exomologesis or deny the Church's power over the sins of the Christian. Is not that tantamount to saying that the public penance—for it is of the public penance that he always speaks in connexion with very serious offences—was imposed for sins other than the three? How far would he have it extended? The text already quoted[2] might seem to indicate that it should be imposed for all sins, since all entailed "the punishment that awaited the sinner after death." But we must remember that at the time venial sins were generally not submitted for sacramental absolution.[3] His fifteenth homily on Leviticus[4] gives the full solution. "If we fall victims to a mortal fault which is not a mortal crime, not a blasphemy of the faith which is protected by the wall of ecclesiastical and apostolic dogma, but which consists in a viciousness of speech and morals . . . that kind of fault can always be atoned for, nor are you ever prohibited from doing penance for sins of that description. For in the case of the graver crimes an opportunity for penance is granted only once; but the common sins, which we frequently incur, always admit of penance and are expiated time after time." Now sins which all regard as unquestionably

[1] *De Orat*, c. 28 (*v.* p. 33).
[2] *Hom. II. in Ps.* 37 P.G., t. 12, col. 1380-1 (*v.* p. 64).
[3] *v.* pp. 82 sqq; *v* (also) p. 79. [4] P.G., t. 12, col. 561.

mortal are not among those which Christians, especially in an age of heroic virtue, "frequently incur." The inference is plain.

We have now reviewed the leading authorities on the Church life of this early period, and have found that, as far as evidence is available, they all agree on the one fundamental principle, at least, that for the Christian guilty of a sin which all acknowledged to be mortal the way to sacramental pardon lay through the public exomologesis. Before concluding the section, I may be pardoned for referring to one line of argument which, though it cannot be developed in connexion with a particular period, would occupy a foremost place in a full treatment of the history of Penance. It is this. In the succeeding centuries, say the fourth and fifth, mortal sins of all kinds, even when secret, were, as a rule, submitted to the public discipline.[1] Now, to maintain that in St. Augustine's time the general attitude of the Church towards the sinner was more severe than it had been in Tertullian's, or that the rigour of discipline became more marked as time went by, would throw us out of harmony with all the facts. The tendency was rather in the opposite direction. And if the maxim, "public penance

[1] Cf., for Rome: Letter of Pope Innocent to Decentius Eugubinus, c. 7 (public penance for all mortal); P. L., t. 56, col. 517. For Italy: St. Ambrose, *De Poen.*, L. 1, c. 16: t. 16, col. 493-4; *ib.*, L. II., c. 10: t. 16, col. 518, 519 (public for occult sins). For Spain: St. Pacian: *Paren. ad Poen.*, c. 12. t. 13, col. 1071; c. 4, *ib.*, col. 1084 (only one sacramental method—the public). For Africa: St. Augustine; *De Sym. ad. Catech.*, c. 7, n. 15, t. 40, col. 636 (one sacramental method for all sins not venial): So *Serm.*, 351, c. 4, t. 39, col. 1542: *De div. quaest.* 83, t. 40, col. 17, 18: *Serm.* 392, n. 3, t. 39, col. 1711 (for secret sins). For the East: St. Basil, *can.* 34, t. 32, col. 728 (for secret sins). etc., etc. See Morinus. B. 2, c. 5; B. 5, c. 31.

for mortal sin," held its ground so long in the subsequent development of Catholic practice and even in opposition to the growing appreciation of the truer and milder spirit of the Gospel, it was because it came down from ancient times, marked with the approval of the greatest saints, and inseparably associated with the authenticated details of early Christian life.[1]

* * * * * * *

Be it remarked, however, that, speaking of mortal sin, I have used the phrase "unquestionably mortal." And advisedly. For in regard to the sins which occupied an intermediate position between venial faults and the crimes which all agreed to classify as "mortal," and even in regard to the latter when their malice was lessened by mitigating circumstances, there are indications, even at this early date, that the discipline inflicted, though public to a certain extent, approximated much more closely to the penance of our own time than to the exomologesis of Tertullian.

Nor should we be surprised. To inflict for offences whose mortal malice might be reasonably questioned a punishment the same in kind and degree, if not in duration, as that imposed for the rejection, express or implied, of the Christian faith would, apart from a special indulgence from the Church, be at variance not only with the maxims of the spiritual life but even with the elementary principles of common sense. Now the Fathers of the early Church had not learned to

[1] For an explanation of the early rigour, see p. 126, sqq ; cf. Morinus, *De Poen.*, L. 3.

distinguish between mortal and venial sins with anything approaching the precision of our modern moral theologians: they would seem, in general, to have restricted, much more than we, the catalogue of mortal sins.[1] If a penitent, then, confessed a sin which, though clearly of a serious description, could not, according to the canons in vogue at the time, be pronounced evidently mortal, what was to be done? The public penance of the strict and rigorous kind was restricted to confessedly mortal sins; it implied a series of abject humiliations and involved serious consequences during the subsequent life of the penitent: it should, therefore, not be imposed upon any whose guilt did not clearly merit the infliction. Would he be allowed, then, to approach the Eucharist as though nothing had happened? Considering St. Paul's rigorous injunction[2] and the general spirit of the time, it would surely be very unlikely. Gentle methods, we might at least antecedently expect, would be adopted: he would be asked to do penance in private, and, when the prescribed course had been completed, receive the public absolution of the Church.

This is, at all events, the practice which at a period not far removed from that of Callistus clearly emerges into view. The Council of Elvira, for example, though it betrays all through the severity which at the time characterized the Spanish Church, contains the following canon: "Virgins who have not preserved their virginity if they marry those with whom they sinned . . . should be reconciled after a year without

[1] *v.* pp. 83, 84. [2] I Cor. xi., 28.

penance."[1] The sin of which there is question would, in ordinary circumstances, be visited with public penance. There was, however, in the case a mitigating circumstance. While the culprits, therefore, received, like the penitents proper, the public absolution at the end, the antecedent discipline was purely private except in so far as exclusion from the Eucharist implied a degree of publicity.[2]

Now, in treating of any institution which has been marked by progressive development, we should remember the principle, admitted by most evolutionists,[3] that to determine the full reality at any particular stage we should take into account not merely the records of the period itself but also the developments in which the movement subsequently issued. As Cardinal Newman puts it in reference to dogma, "we may fairly interpret the early Fathers by the later"[4] and "use the event as a presumptive interpretation of the past."[5] In the light of the later practice and of the strong antecedent probability the texts of Tertullian and Origen, though in themselves ambiguous, become highly suggestive. Take, for example, the passage in the *De Pudicitia* in which Tertullian, answering the inferences drawn from the parable of the lost sheep, maintains that there *are* certain sinners to whom the Church is justified in granting pardon when they have duly satisfied the claims of divine justice, those,

[1] C. 14.

[2] Cf. cc. 21, 50.

[3] See *Hibbert Lectures* (Upton) pp. 156 sqq., 166.

[4] *Devel. of Chris. Doctr.*, p. 15. [5] *Ib.*, p. 114. Cf., p. 126.

namely, who have perished, not by "dying," but by "straying within the fold." "In this sense a thing which is 'safe' may be said to have 'perished.' Therefore the believer, too, 'perishes' by lapsing into a public exhibition of charioteering frenzy, or gladiatorial gore, or scenic foulness, or athletic vanity; or also if he has lent the aid of any special 'arts of curiosity' to sports, to the convivialities of heathen solemnity, to official exigence, to the ministry of another's idolatry; if he has impaled himself upon some word of ambiguous denial, or else of blasphemy. For some such cause he has been driven outside the flock; or even himself, perhaps, by anger, by pride, by jealousy, or—as in fact often happens—by disdaining to submit to chastisement, has broken away from it. *He* ought to be resought and recalled."[1] And again: "Who will be free from the accident of either being angry unjustly and retaining his anger beyond sunset, or even using manual violence, or carelessly speaking evil, or rashly swearing, or forfeiting his plighted word, or lying from bashfulness or 'necessity'? In business, in official duties, in trade, in food, in sight, in hearing, by how great temptations are we plied, so that if there were no pardon for such sins as these salvation would be unattainable to any; of these, then, there will be pardon through the successful suppliant of the Father, Christ."[2] For them "that species of penance (which remains) after a man has attained the faith will secure pardon from the bishop."[3]

[1] vii., 14-17. [2] *Ib.* xix., 23.

[3] *ib.* xviii., 17. ". . . illa poenitentiae specie post fidem, quae aut levioribus delictis veniam ab episcopo consequi poterit," &c.

It is difficult to determine here—for the work belongs to his Montanist days—how much is Tertullian's private opinion and how much represents the official doctrine of the Church. Bearing in mind, however, that his division of sins into "greater," "light" and "moderate" [1] corresponds, on the whole, to ours into "unquestionably mortal," "venial," and the intermediate class of which there is question in the beginning of the section, a few points seem clear. Acute controversialist as Tertullian was he would never, in a work intended for Montanists and Catholics alike, have defended the theory of episcopal intervention in the pardon of the sins enumerated had such intervention been in flagrant contradiction with the ordinary Catholic practice of the time. Knowing, therefore, as we do, that venial sins were rarely treated sacramentally,[2] we may conclude that recourse to the power of the keys for the pardon of "moderate" sins was a sanctioned custom in the Church. Tertullian's silence, however, in this connection, regarding the formal exomologesis would seem to suggest—and the balance of evidence from other sources certainly tends to establish—that for these "moderate" sins public penance, strictly so-called, was rarely inflicted. From all of which the general conclusion would follow that sacerdotal absolution was of much wider extension than the strictly public penance or, in more precise terms, that in connection with the sacramental remission of doubtfully mortal sins or of those whose malice was lessened in particular cases by mitigating circumstances, the penance imposed according to the

[1] *De Pud.*, 1. 19. [2] *v.* p. 82 sqq.

recognised canons of the Church was of a much milder description than some of the records of the time would seem at first sight to suggest.

And so we reach an intelligible explanation of the strange passage, already quoted,[1] in which Origen, endeavouring to express the rather indefinite teaching of the time, speaks of the "mortal fault" which is not a "mortal crime." The reference clearly is to the "doubtfully mortal" sins, the "moderate" offences which, though serious, could not be pronounced with certainty a "violation of God's temple" and might with truth be said, even then, to be "frequently incurred." For such sins, he expressly states, the strict public discipline was not imposed. And, though he does not tell us how their remission was secured, we may feel convinced that the promptings of conscience would never have allowed one, who insisted so strongly as he on the absolute need of confession[2] and on the Church's power over sin, to dispense with sacerdotal absolution or neglect the graces which, as his teaching proves, were attached to public reconciliation with the Church.

I stated at the beginning that there were influences at work which tended to minimize the number of cases in which public penance, especially of the strict kind, was imposed. It may not be out of place to indicate some of the considerations that tend to make that opinion probable.

And, first of all, there is the well authenticated fact that many of the converts, even the holiest, deferred their baptism as long as possible, in some cases even

[1] *v.* p. 72.

[2] *v.* p. 88 sqq.

to the hour of death. To the modern Catholic it seems a strange thing that men who knew the truth and were anxious to lead a Christian life should have freely chosen to deprive themselves for years of the graces of the Christian dispensation and incur the risk of dying in the end without having ever become members of the Church. The practice would be strange beyond all question did the administration of the Sacrament of Penance in the early Church correspond in every detail to our own. Doubtless a death-bed baptism ensured a full remission of sin and would be, if men were sure of getting it, the best preparation for the judgment; but all that is true to-day just as well, yet who ever dreams of reviving the ancient practice? The postponement of baptism is, in fact, at once an indication of the rigour with which Christian sinners might expect to be treated, and a partial explanation of the comparatively small number comprised in the strictly penitential class.

Then again certain classes were exempt. The decree of Callistus contained a special prohibition in regard to clerics.[1] In the West, at least at a somewhat later date, the reception of penance carried with it something analogous to the sacramental *character* excluding the recipients for the future from married life as well as from the military profession and the transaction of business. The manner in which Pope Siricius, towards the close of the fourth century, referred to these

[1] It is one of the charges brought against him in the *Philosophumena*, L. 9, c. 12, P.G., t. 16, col. 3386. So, too, probably, in the *De Pudicitia* (v. M. Batiffol *op. cit.*, p. 105), but the part is lost. Subsequent councils (*e.g.* Carthage, Neocaesarea, Elvira, etc.) adopted different regulations.

restrictions shows that they were of long standing in the Church and well-recognised elements in the penitential regime.[1] Though their violation was afterwards declared to be, for the most part, venial,[2] their existence would, of course, render the penitential discipline incompatible to some extent with the actual or prospective life of many on whom, in ordinary circumstances, it would have been imposed. How these special classes were dealt with there is no contemporary evidence to enable us to ascertain. St. Leo declared that a private retreat[3] was the substitute for clerics. What that exactly meant is not very clear; we may see in it perhaps an anticipation of our present practice.

Then, too, we must remember that the Lateran Council had yet to come, and that there was no ecclesiastical law binding all guilty of mortal sin to go to confession once a year. To ordinary mortals the humiliations of the public penance were not inviting. Tertullian, as we have seen, took it for granted that many put it off or disregarded it completely,[4] hoping, probably, that towards the end of life the world and its pleasures could be given up with less regret and their conscience set at rest once for all before the day of final reckoning. Unfortunately the

[1] "De his qui acta poenitentia tanquam canes et sues ad vomitus pristinos et volutabra redeuntes, et militiae cingulum et ludicras voluptates et nova conjugia et inhibitos denuo appetivere concubitus," etc (*Letter to Himerius*, c, 5. Migne, P.L., t. 56, col. 557). Cf. Leo, *Ep.* 167, n. 13 "De his qui post poenitentiam uxores accipiunt," etc. (Migne, P.L., t. 54, col. 1207).

[2] Leo *Ep.* 167, *ib.* col. 1206-1207.

[3] "Privata secessio" (*Ep.* 167 : to Rusticus, bishop of Narbonne) *ib.*, vol, 1203, 1204.

[4] *De Poen.* x., 1.

evil did not stop even there. The vice of hypocrisy was not unknown, and many who should have asked for exomologesis not only put it off but lived in the meantime like their neighbours and took a sacrilegious part in the most sacred functions of the Church.[1]

But the chief explanation is, undoubtedly, found in the fact that Christians generally never dreamt of undergoing public penance, whether strict or not, for sins that were generally recognised as venial. Though the period with which I am concerned offers little explicit testimony to this effect,[2] the impression conveyed by the records is that the faithful looked on penance, not as a devotional practice or as a method of attaining greater personal perfection, but merely as a means of escape from mortal sin and its consequences. Confession of venial sins was, of course, recommended by ascetical authorities[3]—much as spiritual direction, or voluntary confession of faults by members of religious orders, is at present—but there is no

[1] Origen, *De Or., Hom.* 2 *in. Ps.* 37.

[2] The teaching of the *Didascalia* is suggestive. It states that "sine peccatis nemo hominum est," (II. 18. 4) yet it restricts penance to a small section all through (II. 12-18.)

[3] Cf. *Didache*, iv., 10, xiv., 1 ; Barnabas, *Cath. Ep.* c. 19 : Clement of Alex., *Quis Dives*, cc. 38. 41, *Strom.*, L. 2, c. 13, P.G., t. 8, col. 993 ; the κυβερνήτης of Clement was probably a priest (*Strom.*, L. 7. c. 1, *Quis., Dives*, cc. 36, 41, 42). That venial sins were almost universally treated outside the Sacrament is clearly stated by the subsequent Fathers (cf. Cyp. *De Or. Dom.* c. 22 ; Aug., *De Sym. ad Catech.* c. 7, n. 15 ; Pacian, *Paren. ad Poen.*, c. 4. Leo, *Serm.* 50, c. 3 ; Basil, *Serm. ascet.* n. 5 ; See Frs. Harent (*Etudes.*, Sept., 1899, p. 604), Batiffol, (*op. cit.*, p. 214), Vacandard (*Rev. du Cl. Fr.*, March, 1899, p. 145), etc. The difficulties felt by theologians even now in explaining how venial sins can be remitted in the Sacrament would, apart from other considerations, furnish an explanation of the earlier practice.

indication that penance followed or that a sacramental absolution was conferred. Now if even at the present day—when, without any pessimistic leanings, we must confess that the first fervour of the Christian world has appreciably cooled—it were adopted as a practical principle that penance should only be administered to those who had committed what moral theologians would, with practical unanimity, pronounce a mortal sin, I am inclined to think that the crowds of weekly and monthly penitents would be reduced to rather insignificant dimensions. And there is another point. That there is a distinction between venial and mortal sins common sense and the constant tradition of the Church unite to testify; as to the exact position of the dividing line, however, good men and learned have held different opinions, and the early authorities would, in fact, as a general rule, seem to have adopted a somewhat more liberal standard than our own. Unfortunately, none of the authors I have quoted gives a detailed catalogue of venial sins; even Tertullian's list of comparatively minor offences [1] is meant to exclude merely the "graver sins," [2] and to include the two remaining classes of "moderate" and "light." [3] We must, therefore, appeal to a later time. Now St. Augustine regards as "crimes" and "enormities" the sins for which Church absolution was required; [4]

[1] *De Pud.*, vii., xix. (*v.* p 77).

[2] *Ib.* xix., 24, "graviora et exitiosa."

[3] *Ib.* i., 20, "non enim mocchia et fornicatio de *mediocris* et de *mediis* delictis deputabuntur."

[4] *Sym. ad Catech.* (M., t. 40, col. 636), "Illi enim quos videtis agere poenitentiam aut scelera commiserunt aut aliqua facta immania; inde agunt poenitentiam; nam si levia ipsorum peccata essent ad haec quotidiana oratio delenda sufficeret."

St. Basil speaks of the custom which considered anger, injuries, drunkenness, avarice, etc., as negligible quantities, not even deserving of a simple remonstrance;[1] and St. Caesarius who drew from St. Augustine and must be supposed to be in substantial harmony with the general tradition, gives the following liberal interpretation of the "light sins," "from which no man can be free":—[2] "Consider that, even if you are exempt from the more grievous sins, the lesser ones which you think nothing of are so numerous that, if all were put together, your good works would scarce suffice to compensate for them. Think of all you have committed since you came to the use of reason by cursing, by swearing, by false oaths, by slander and idle talk, by hatred, by anger, by envy, by evil desires, by gluttony, by sloth, by impure thoughts, by unchaste looks, by listening to improper discourses, by disregard for the poor, for the traveller, for the prisoner, by failing to reconcile enemies, by neglecting to fast on fasting days, by talking in church and failing to heed the divine office, by thinking improper thoughts during psalms and prayers, by engaging during banquets in talk that is unholy and smacks of luxury." There is just a possibility that he meant to include in the *peccata minuta* the less serious forms of mortal sin, but the hints conveyed in the phrases, "from which no man can be free," "the sins you think nothing of," and "your good works would scarce

[1] *De Jud. Dei*, c. 7, P.G., t. 31, col. 669.

[2] *Serm.* 257, n. 2, attributed formerly to St. Augustine (Migne, P.L., t. 39, col. 2220) "minuta peccata," "sine quibus nullus hominum potest esse." Cf. Serm. 262, n 1 (P.L., t. 39, col. 2229).

suffice to compensate," should make us careful about committing ourselves to the position.[1]

Finally, those in danger of death received the sacrament as we do now.[2] Irenaeus, Tertullian, and Origen are silent on the point, but subsequent developments seem to justify the statement. There was considerable hesitation in regard to those who led an openly sinful and scandalous life and asked for absolution only on their death-bed. But, though St. Cyprian denounced them in vigorous terms,[3] though the Council of Carthage, influenced largely by his spirit, decreed against them,[4] though Innocent I. throws a halo of rigour round the earlier times,[5] yet we should not forget that Pope Celestine spoke of the denial of penance in terms that are hardly intelligible if the Church had at one time, even in regard to the sinners in question, officially patronized the practice,[6] and that the Council of Nice declared it the "ancient and canonical law" that the last rites of the Church should

[1] "Aut non attendimus, aut certo pro nihilo computamus." "Nescio quae bonorum operum abundantia illis praeponderare sufficiat." Cf. n. 4 (*ib.*) "minuta delicta . . . orationibus et eleemosynis redimamus." If it be said that such teaching must have led to the withdrawal from the power of the keys of many sins that were objectively mortal, I merely answer that the defect is inseparable from every reasonable system of casuistry that can possibly be proposed. The general acceptance of probabilism, for example, leads, I have no doubt, to a precisely similar result.

[2] Cf. (some years later) S. Cyprian, Ep. 12, t. 4, c. 259.

[3] *Letter to Ant.*, c 23 (*v.* p. 42, note) cf. Council of Elvira, c. 12.

[4] *Ib.*

[5] *Letter to Exsuperius* Ep. 6, c. 2, P.L., t. 20, col. 499 (already quoted, pp. 42, 43).

[6] Letter to the bishops of Narbonne "Agnovimus poenitentiam morientibus denegari . . . *Horremus* fateor tantae impietatis aliquem inveniri." (Migne, P.L., t. 56, col. 577). Yet the practice, it can hardly be denied, was once tolerated even in Rome (*v.* p. 42).

be given to all.[1] That many had acted in violation of that law I have no intention of denying;[2] but it is equally true that the better instinct of the Catholic world was opposed to the spirit of puritanical zeal, and that the Church, when she finally spoke, established once for all the principle that the crimes and follies of life should be forgotten at death and the sinner helped in his last moments by the graces that Christ had promised.

[1] For the meaning, however, attached by Nice to "viaticum" see Migne, *Theol. Curs. Comp.* xx., 618. 9, Fr. de San, *De Poen*, p. 219.

[2] Pope Celestine's letter shows the practice was not unknown even in the fifth century. It was a faint echo of the earlier rigour.

CHAPTER VI.

CONFESSION: ITS NECESSITY AND CHARACTER.

Pronuntiet peccatum quod peccavit.—ORIGEN.
Satisfactio confessione disponitur.—TERTULLIAN.
κατὰ μέρος.—SOCRATES.

THE growing inclination—in sections of the Protestant Communion that have only the faintest faith, if any, in the sacramental efficacy of Penance, and are, moreover, heirs to the anti-Catholic suspicions and prejudices of three centuries and more—to regard the practice of confession with a certain measure of approval is a striking indication of the deeply-rooted human tendency to seek relief from the troubled conscience in the advice and guidance of a sympathetic master in the spiritual life. That Christ should have set the seal of His approval on the practice, and associated with it a grace and efficacy al its own should, even apart from dogmatic and historical evidence, be a matter of surprise to no one

That He not only did so but made it a necessary element in the sinner's reconciliation is little more than a corollary from the facts recorded, and the principles established, in the preceding pages. To assert that a Church with the power of binding and loosing, of absolving and condemning, should proceed to exercise that power without first ascertaining the malice of even the hidden crimes of those she summoned to her tribunal would be the most glaring of theological absurdities. Expression of sorrow for the past might

seem in certain cases a sufficient basis for an absolution. But when we remember the many delusions under which a penitent may labour, the obligations in regard to sinful habits, restitution, occasions of sin and the like, which he may know nothing of, and the thousand and one obstacles to requisite disposition of whose existence he may be totally unconscious, it becomes clear that a full avowal of sins with their number and more important circumstances is an important condition for a reasonable use of the Church's power and prerogative. That must be true of every period of the Church's life: it was true, especially, of the age of rigorous penance when the addition or omission of a single sin might mean submission to, or exemption from, years of the strictest penitential discipline.

All this is very clear. Even Protestant critics will admit that for those who maintain the power of the keys our doctrine on confession is the logical and necessary sequel.[1] Though we might, therefore, from the dogmatic standpoint, spare ourselves the trouble of a closer investigation, it may be well to strengthen the position by a brief review of the historical records of the practice.

The evidence is overwhelming, "Consider, therefore," says Origen, "what the divine discipline teaches, namely, that sins should not be concealed, for

[1] Dr. Lea grants it; "bishops and priests . . . assumed to remit sin, and such remission was manifestly impossible without a preliminary declaration of the offences to be forgiven," *op. cit.*, Vol. I., p. 182. "If sacerdotal ministration was necessary, confession followed as a matter of course. *Ib.*, p. 211. See Roberts, *Hist. of Conf.*, p. 28, "Persons performing penance may fairly be presumed to have made a confession of their sins."

as they who are troubled with indigestion and have anything within them which lies crude upon their stomachs, are not relieved except it be removed; so sinners, who conceal their practices and retain their sin within their own bosoms, feel in themselves an inward disquietude and are almost choked with the malignity which they thus suppress. But by confession and self-accusation they discharge themselves of their burden, and digest, as it were, the cause of the disease. Only here it will be fit to advise you to be careful in choosing a fit person to whom you may confess. Try to find out such a spiritual physician as knows how to mourn with them that mourn, to be weak with them that are weak, in fine, who knows how to feel for others and sympathize with them in their sorrow; so that whatever direction and advice may come from such an approved and merciful physician you may follow out in practice; if he shall judge your disease to be such as should be laid open and cured before the whole assembly of the Church, for the possible edification of others and for your own ready healing, this should be done deliberately and discreetly, and in obedience to the advice of such a skilled physician." [1] Origen's simile, if crude, is, at all events, expressive. Confession is like the medical treatment which, in certain stages of disease, is an indispensable condition for bodily recovery. It is private: and, like the penance to which it forms the preliminary step, should, clearly, extend to all important aspects at least of the spiritual malady. If a second and public confession of certain sins be implied in the concluding sentence

[1] *Hom. 2 in Ps.* 37, P.G., t. 12, col, 1386.

it was quite distinct from the first and was merely part of the public discipline with which the Church in later times thought it prudent to dispense. That the second explicit confession is implied I am, however, inclined to doubt. Origen's rule may come to this. All sins are to be disclosed in private to the confessor; if they are venial, he administers spiritual advice and direction, nothing more; if mortal, the penitent is asked to undergo the exomologesis, strict or otherwise, which from its character and duration would be an implied confession of the sins he had committed.

The same doctrine is repeated in various portions of Origen's works. "If a man," he says,[1] "has sinned in any of these ways, let him proclaim the sin he sinned. . . . Whatever we have done in secret, whatever faults we have committed, though merely in speech or even in our secret thoughts, must all be published, all brought forward by him who urges us to sin and accuses us thereof. . . . If, therefore, we forestall him in this life, and become our own accusers, we baffle the malice of the devil, our foe and accuser. . . . but whomsoever he convicts of having been his associates in crime, these will he have associates in hell." No third course here; either we confess our sins in this life or the powers of evil will proclaim them in the next. So again: "If we do this and reveal our sins not only to God but to those who can heal our wounds and sins, our sins will be blotted out by Him who says, 'Behold, I will destroy thy iniquities as a cloud and as a thick cloud thy sins.'"[2] From

[1] *Hom.* 3 *in Lev.*, n. 4, P.G., t. 12, col. 429.
[2] *Hom.* 17 *in Lev.*, t. 13, col. 1846.

the general expressions used by Origen in reference to the confessor it is sometimes concluded that he did not mean to restrict the office to the priesthood. But it is a significant fact that he always regards the claimants to the power of the keys as invested with the sacerdotal dignity.[1] If the evidence given be considered incomplete, his second Homily on Leviticus[2] supplies the missing link. After enumerating various methods of remission in which confession has no part, he describes a seventh "when the sinner washes his couch with tears . . . and when he is not ashamed to declare his sin to the bishop of the Lord."

Clement of Alexandria has left us several references which, though rather vague, tend to confirm the conclusions suggested by Origen. The "rich man," he says, "should choose a saintly director." What their mutual relations should be he indicates in the advice he offers to the penitent. "Fear him, revere him, because for your sake he will pass sleepless nights pouring out for you his prayers before God and move the Father through the usual litanies. God does not resist His sons who have recourse to His mercy. . . . This man will pray for you who honour him as an angel of God; if he is saddened it will be on your account and not on his own. This is the true penance."[3] Opponents of the practice of confession would do well to explain how this "angel of God"

[1] *De Or.*, c. 28 (*v.* p. 33). The pardoners of idolatry etc., he attacks as "assumentes quae sacerdotalem dignitatem excedunt," and "fortasse non probe callentes scientiam sacerdotalem." Cf. *Hom.* 14 *in Lev.*, t. 12, col. 553; *Comm. in Matth.*, t. 13, col. 1013.

[2] (*v.* p. 63).

[3] *Quis dives*, c. 41, P.G., t. 9, col. 644, etc.

could "direct" his client or act as an effective mediator between him and God, unless he had become acquainted through confession with the state of his soul and knew the special dangers to which he was exposed. Whether, according to Clement, the confessor should necessarily be a priest is a point on which critics are not agreed. There is a strong flavour of Gnosticism in his writings, and it would not be surprising if, like Tertullian in his Montanist days, he attributed to the "men of the spirit" powers which the Church in general confined to the sacerdotal order. Yet his division of ministers of penance into three classes, corresponding apparently to deacons, priests and bishops,[1] and his application to them of texts addressed originally by Christ to His Apostles,[2] has gone far to convince inquirers that, to his mind, the priest and the confessor were one and the same.[3] The confession, as is manifest, would be altogether private.

Tertullian is so much occupied with the details of the public penance that he makes little mention of the confession that preceded. The necessity of such a confession is, however, not merely hinted at in his comparison of hidden sinners to the penitents "who shrink from disclosing their disease to the doctors and perish in their bashfulness;[4] it is a clear inference from his whole position. That a

[1] *Strom.*, L. 2, c. 17.

[2] *e.g.*, "You are the light of the world and the salt of the earth." (*Quis Dives*, c. 36, t. 9, col. 641.)

[3] *e.g.*, M. Vacandard, *La Conf. Sacr.*, pp. 47-8.

[4] *De Poen.*, x., 2.

proportional[1] penance should be assigned to all, even secret, sins, that the "peace of the Church" should be denied to public and secret "homicide, idolatry, fraud, apostacy, blasphemy, impurity and fornication, and any other violation of the temple of God,"[2] and conceded, after a definite period of penance, to a long list of minor offences,[3] was surely a sheer impossibility unless the penitent himself came forward and confessed the character, extent, and number of his crimes. To whom this confession should be made Tertullian does not state, but I think I may assert, without overstepping the limits of impartial criticism, that, since the penance was one continued process and was conducted, presumably, under the supervision of the same authorities all through, the confession must have been heard, and the discipline imposed, by the same minister—namely the bishop[4]—who afterwards brought the penance to a close and imparted the final absolution. From the fact that Tertullian, in his detailed description of the public penance, is silent regarding the confession that must have preceded, we may draw two conclusions: first, that the confession must have been entirely private; secondly, that a subsequent

[1] "Satisfactio confessione disponitur," *De Poen.*, ix., 2. Cf. "Debuerat enim quæ damnaverat proinde determinasse quonam usque et sub conditione damnasset, si temporali et conditionali et non perpetua severitate damnasset," (*De Pud.*, xviii., 14), "a communicatione detrudit sine spe conditionis ullius aut temporis" (*ib.*). The "arbitrium sacerdotis," "episcopi aestimatio," "judicium culpæ," "congrua satisfactio," "satisfactionis modus," etc., are a prominent feature of subsequent Patristic literature and conciliar decrees: cf. Leo's letter to Bishops of Narbonne, etc: Aug., *serm.* 351, n. 9; III. Carthage, can. 31; can. 12 of Angiers, etc.

[2] *De Pud.* xix., 24. [3] *Ib.* vii,, 14-17 (*v.* p. 77).

[4] "veniam ab episcopo," *De Pud.*, xviii., 17. Cf. Sozomen in refer to the Roman Church, *H.E.*, L. 7, c. 16 P.G., t. 67, col. 1462.

public confession of individual sins formed no necessary, or even ordinary, part of the discipline itself.[1] These conclusions, as well as the necessity of an integral confession, are supported by another consideration. There was a striking parallel between the Catechumens and the strict penitential class. Each formed a group apart from the ordinary body of the faithful; on each there was imposed a period of public penance before admission to, or reconciliation with, the Church; both were allowed to assist at part of the liturgy but were generally excluded from the more solemn and sacred functions. Now the confession of the Catechumens was private; for that we have Tertullian's own statement. "They who are about to enter Baptism ought to pray with repeated prayers, fasts, and bendings of the knee, and vigils all night through, and with confession of all bygone sins. . . . It is a matter for gratulation that we do not confess our iniquities publicly."[2] If secret confession was deemed sufficient for the catechumen and not inconsistent with the public character of the subsequent atonement, and if the confession should extend to "all bygone sins," must not the same principles have been applied in the case of those between whom and the Catechumens the Church did all in her power to emphasize the likeness?[3]

[1] We have already seen that the texts of Origen are in harmony with, if they do not suggest, this conclusion (*v.* p. 90).

[2] *De Bap* xx. "Ingressuros baptismum orationibus crebris jejuniis et geniculationibus et pervigiliis . . . orare oportet et cum confessione omnium retro delictorum . . . Nobis gratulandum est si non publice confitemur iniquitates . . . nostras."

[3] The Canons of Hippolytus prescribe confession (of Catechumens) to bishop alone (c. 103).

I need only refer in passing to the testimony of Irenaeus. The women, seduced by the heretics and afterwards converted "with their remaining faults confessed this also."[1] Others confessed not merely the sins they had committed with the "magician Marcus" but the desires aroused by his evil practices.[2] The saint is not giving a full exposition of the practice of confession; to whom it was made and what were the attendant circumstances, he does not state; but his incidental reference to an integral confession as a preliminary to the necessary course of penance is as full and satisfactory as could be expected from the context.

In the Eastern Church, apart from the general supposition in the *Didascalia* that the bishop was the only judge of the consciences of the faithful[3] and its explicit statement that penance was inflicted on the penitent "*according to his sin*, two weeks, or three, or five or seven," it is doubtful whether we have any trustworthy testimony to the practice at the close of the second century or beginning of the third. If, however, we accept Sozomen's assertion that the office of Priest Penitentiary dated from the earliest times, an amount of light will be thrown on the subject. The appointment of the functionary in question was due to a consideration for the feelings of the penitents. "From the beginning it naturally seemed to the priests an inconvenient thing that men should proclaim their crimes as in a theatre with all the members of the

[1] *Adv. Haer.*, L. I., c. vi., n. 3 (M., t. 7, col. 508).
". . . miroque ipsius amore exarsisse" (*ib.* n. 5, col. 588).
[3] II., 12-18.

Church standing around. Therefore the bishop chose from among his priests one distinguished by his uprightness, reserve, and discretion, to whom the duty of hearing the confession of sinners was assigned."[1] He regulated the length and severity of the penance and excluded sinners from the Eucharist for a greater or less period of time as the varying degrees of guilt demanded. We get a glimpse of the actual working of the system in Socrates' story of the woman whose indiscreet disclosures led to the abolition of the office. "She had confessed *in detail* to the Priest Penitentiary all the sins she had committed after Baptism."[2] Unless a critic is prepared to show that statements like these are coloured by the associations of a later time, he must admit that in Constantinople and in the "other churches,"[3] in which, according to Socrates, a similar regime was observed, private and integral confession to a priest was the recognised practice for the Christian sinner.

That the descriptions of confession are less detailed than those of the penitential discipline should not excite our surprise. There always lives in history a clearer record of public than of private life. The discipline, as I have shown, was generally public; while, notwithstanding the fact that an acknowledgment of faults before the community was occasionally

[1] L. 7, c. 16 P.G., t. 67, col. 1460. Cf. Socrates (*H.E.*, L. 5, c. 19, t. 67, col. 616) "Whoever fell after baptism were to confess their sins to the priest appointed for the purpose."

[2] κατὰ μέρος ἐξομολογεῖται (*ib.*).

[3] *Hist. Ecc.*, B. 5, c. 19 :ἄλλαις αἱρέσεσιν.

recommended [1] or even enjoined [2] and that ecclesiastical authorities may have sometimes so far abused their power as to impose it unreservedly on all,[3] the recognised and all but universal practice of the Church, the "Apostolic rule" as St. Leo termed it,[4] was secret confession to the priest. Theoretically, and as a matter of obligation, it was, like the discipline itself, generally restricted to the case of mortal sins. Its further extension, however, in practice, would be the necessary consequence of the difficulty felt by the ordinary penitent in distinguishing between mortal and venial sin, and of the tendency common then as now among the faithful to seek spiritual aid and direction in the many minor failings and imperfections incidental to even the holiest of Christian lives.

[1] As, apparently, by the Priest Penitentiary (*v.* p. 96). Possibly Origen teaches the same (*v.* p. 90): cf. *Hom.* 39 *in Jer.*, n. 8, where he speaks of confessing "coram paucis."

[2] Irenaeus (*v. supra.*) seems to suppose the custom. Tertullian's remarks (*v.* pp. 58 sqq.), seem to some to suggest the same; but see p. 94 Cf. Eusebuis' account of Natalis's confession (p. 48).

[3] Cf. the custom—censured by Pope Leo (Letter to Bishop of Campania, c. 2)—of reading out in public a full list of the sins confessed. It must have had its roots in earlier practices. See Paulinus' *Life of Ambrose* (P.L., t. 14, col. 40).

[4] *Lit. cit.* c. 2, "Apostolica regula": 'reatus conscientiae sufficit solis sacerdotibus indicare confessione secreta." M, P.L., t. 54, col. 1210 1211.

CHAPTER VII.

The Absolution.

Veniam ab episcopo consequi poterit.—Tertullian.
Poenitentia functis dimitto.—Callistus.

From what has been already stated it will be clear that when the sinner repented of his crime the Church intervened and granted the effective and final remission which his acts were in themselves unable to secure.[1] This remission, whether we term it "reconciliation," or "peace," or "communion," was always, in effect, an absolution. At what stage of the penitential process was it generally given?

At the outset all agree that in case of a deathbed reception of the Sacrament absolution was granted shortly after confession. This is evident. There was no opportunity of going through the various stages of the penance. In the following pages, therefore, I am concerned with the ordinary administration and take no account of such exceptional cases.

There are two principal theories. With an evident desire to harmonize as far as may be the various stages in the development of Church discipline, some assert that it was granted immediately after the confession. Others, less anxious to postulate complete uniformity in comparatively minor details, identify the absolution with the public reconciliation granted at the end. The former are confronted with the silence of the early records, the latter with the manifest change in the

[1] See especially pp. 13, 29.

form of administration. When critics after a comprehensive study of the subject arrive at such divergent conclusions, especially in regard to a question that is not essentially connected with any other I have treated or intend to treat, we may be pardoned for refusing to accept either hypothesis as completely satisfactory or final. It must be confessed, however, that, when the two theories with their various modifications [1] are fully considered, the second seems to harmonize best with the historical evidence—in so far at least as regards the practice of the Western Church.[2]

In a passage of the *Shepherd* of Hermas we have, it seems to me, not indeed the germ of the whole penitential discipline [3] but the first clear explanation of the mutual relation of the discipline and absolution. "'But behold, sir,' I replied, 'they have repented with their whole heart.' 'I know,' said he, 'that they have repented with their whole heart, but dost thou, therefore, think that the sins of those who repent are immediately blotted out'? 'Certainly not; but he that repents must afflict his soul and humble himself thoroughly in every action, and undergo many and

[1] Palmieri maintains that the final ceremony conferred an indulgence. Vacandard seems at times to hold that there was a sacramental absolution on both occasions.

[2] Among the Catholic scholars who maintain this view are Weigel, Prierius (Luther's opponent), Latomus, Albaspinaeus, Morinus, Tournley, Natalis Alexander, Petavius, Hogan, Batiffol, Vacandard (to some extent), etc.

[3] This apparently is Harnack's opinion. "Habes hic initia perversae illius ecclesiasticae disciplinae" is his note on the passage (M. Batiffol, *op. cit.*, p. 65). But the testimonies of St. Paul are against it: his treatment of the incestuous Corinthian (1 Cor. v., 3-5, II. Cor. II. 6-11) was the pattern on which the penitential discipline for several centuries was modelled. See also p. 6.

divers tribulations. And when he shall have endured the afflictions that come upon him, then assuredly He who created all things and endowed them with power will be moved with compassion towards him and afford him some remedy, and this especially if he shall perceive his heart, who repents, to be pure from every evil work.'"[1] Between the "repentance" and "healing"[2] there is a period of penitential suffering. It was, as we have already seen,[3] under the supervision of the Church that, according to Hermas, the penance was undergone and the "healing" effected. The Church, therefore, I conclude, did not grant an immediate absolution to the penitent, but put him off until the salutary works enjoined had perfected his probably inadequate contrition and rendered him a worthier subject for sacramental pardon. It is, of course, open to anyone to say that his "healing" was after all only a remission of temporal punishment or even an external reconciliation with the Church, but I question whether, apart from the evident intention of the writer, such an attempt to rob of all real significance one of the earliest indications of the Church's power of the keys will be welcomed by the Catholic apologist. Now the general acceptance of Hermas' work as "scripture" and "divine"[4] clearly implies that he was merely expressing the mind of the Church; and the great respect with which the work was received, combined with the general prevalence of the spirit

[1] *Sim.* vii., 4-5 (Funk's *Opera Patrum Apostolicorum*, Vol. I., p. 76, 477.)

[2] μετανοια and ἴασις, *ibid.* [3] P. 6.

[4] See M. Batiffol *Etudes d' Histoire*, p. 55.

which inspired it, would surely be inconsistent with the recognised existence of a practice completely at variance with its clearly defined teaching.

Though Tertullian's references are not so explicit they tend to establish the same conclusions. If all the essentials of the sacrament were found at the beginning it is surely a matter for surprise that, while professing to give at least the outlines of the penitential process, he completely ignores the introductory and essential stage and devotes his exclusive attention to the comparatively unimportant developments that followed. If it be suggested that the "discipline of the secret" prohibited a reference to the more solemn parts of the function it is a sufficient answer that not only was there no such general reticence in Tertullian's time as the "discipline" is supposed to have implied [1] but that of the three important elements—satisfaction, absolution, and integral confession—he deals explicitly with two when treating of Penance,[2] and with the third in a different connexion.[3] His confidence in the validity of the early absolution, had such been administered, must have been of the most attenuated kind seeing that he depicts the public penitents, who of course would have received it, as denied admission to the Church, prostrating themselves before the doors, embracing the knees of the priests and the saints of God, betraying in fact in a thousand ways their consciousness that they were aliens from God's grace and

[1] See M. Batiffol, *Etudes d' Histoire : L'Arcane.*

[2] *De Poen.* ix., x., *De Pud.* xviii., 17 (satisfaction and absolution), *v.* p. 47.

[3] *De Bap.* xx. (confession, see p. 94) : cf. *De Poen.* ix: (*v.* p. 93.)

needed the intercession and mercy of the Church if they were ever to be restored to membership with Christ. "Exomologesis extinguishes hell."[1] "After the first bulwarks of baptism there is a second remedy in exomologesis."[2] Could he have made these unqualified statements if the portion of the exomologesis to which he devotes a substantial section of two treatises was, after all, concerned only with an external reconciliation with the Church or at most with the expiation of temporal punishment, while the guilt of mortal sin and the penalties involved were extinguished in the portion he entirely ignores? His quarrel with the Church in regard to the exercise of the power of the keys only began, it is pretty clear, when she protested against the perpetual reservation of the graver sins by sanctioning the public and final reconciliation of the sinners who "had already faithfully discharged their penance."

"There is still a seventh remission," Origen tells us,[3] "when the sinner is not ashamed to declare his sin to the bishop of the Lord and to seek the remedy." Few will be disposed to deny that by the "remedy" Origen understands either the effective pardon itself or the means whereby the pardon was secured. If the absolution were given immediately after confession, the "remedy" would have been applied before the penitent entered on the public discipline. But was it? "If (the spiritual physician) shall judge your disease to be such as should be laid open and *cured* before the whole assembly of the Church for the possible

[1] *De Poen.* xii., 1. [2] *Ib.* xii. 5.

[3] *Hom. 2 in Lev.*, c. 4, t. 12, col. 418.

edification of others and for our own ready healing, this may be done deliberately and discreetly."[1] The reference is to certain offences, probably to all mortal sins:[2] the person addressed is supposed to have made his confession and gone through the usual introductory stage: yet his "cure" and "healing" is, to Origen's mind, still a matter of the future. The same suggestion is embodied in several of his statements. "It is only in the case of those who have passed severe condemnation upon themselves because of their crimes and who, on that account, lament and bewail themselves as lost to God's grace through the sins they have committed, and who manifest a satisfactory change, . . . that God condones the errors of the past."[3] The "lamenting and bewailing," which Origen regards as a necessary pre-requirement for even divine pardon, may be explained in various ways, but it certainly recalls in a striking manner the humiliations of the public penance. "The amount of remission is regulated by the measure of the penance; . . . whoever undergoes a perfect and integral penance for all his evil deeds washes out every stain of his sin: but if he repent in part, in part will he merit absolution."[4] Whatever may be thought of the theological orthodoxy of Origen's "partial remission," one thing is clear; no full pardon or remission is granted by God,—and none should, of course, in consequence, be attempted by the Church—unless the sinner had already, by a full course of penance, proved his fitness

[1] *Hom.* 2 *in Ps.* 37, t. 12, col. 1386.

[2] *v.*, p. 90.

[3] *Contra Celsum*, l. 3, c. 71.

[4] *Hom.* 2 *in Ps.* 38.

for the favours the Church was commissioned to dispense.

St. Cyprian's practice falls outside my period. I may be allowed, however, to make one remark. Even so thorough-going an advocate of the opposite theory as Palmieri has to admit[1] that St. Cyprian postponed the absolution: no one, indeed, who reads his letters can come to any other conclusion. Now, the saint's teaching and practice was in harmony with that of the East[2] and West and especially with that of Rome,[3] and it can hardly be asserted with any show of reason that the rules of the latter Church, whose motto in this as in other matters, was admittedly 'nihil innovetur,' had during the previous fifty years broken with tradition or completely remodelled the earlier practice.[4]

Strict as the early Christians were in many respects they were at least deterred by no puritanical motives from an almost daily reception of the Eucharist. Yet the penitents, we know, were excluded. How, in an age when daily communion was considered the right of every normal Christian and mortal sin regarded as

[1] *Tract. de Poen.*, pp. 509, 511.

[2] Firmilian's letter from the East to St. Cyprian shows how well they agreed. "I take up your writings as if they were my own" (P.L., t. 3, col. 1157.)

[3] "Et ipse (Cornelius) cum plurimis coepiscopis . . . in eamdem nobiscum sententiam . . . consensit" (*L. to Ant.* on the treatment of the lapsed, t. 3. col. 767.) "Cum nobis et ecclesia una sit et mens juncta et individua concordia" (Cyp. to Cornelius, *ib.*, col. 830).

[4] Cf. the case of Natalis (*v.* p. 48) who, at Rome, was pardoned with difficulty *after* penance: also the doubts expressed by the Roman clergy regarding the absolution of those who had not gone through the discipline (Cyp. Ep., xxxi.).

the only obstacle to its worthy reception,[1] the Church could have by a practically universal regulation shut out from the blessings of Christ's crowning token of affection men whose sins had long ago been remitted and who were expiating, in a manner that should win the admiration of men and angels, the temporary punishment that possibly remained, is a problem I should recommend to those who insist on treating the practices of the early Church from a purely theological standpoint and detect a rigorist trait in the theory I advocate.[2]

Then, too, I may recall the parallel, more than once referred to already, between the penitents and Catechumens. The latter had to "pray with many prayers and fasts and bendings of the knees and vigils, and confess all the crimes of the past"[3] before being admitted to Baptism. If the Church prescribed a period of probation in preparation for a sacrament conferred, then as now, on infants who had no personal dispositions whatever, it would surely not be

[1] Cf. the regulation of Pope Soter (fl. 166-174): —"In coena Domini . . . ab omnibus fidelibus. exceptis his quibus pro gravibus criminibus inhibitum est, percipienda sit (eucharistia) . . . cum etiam poenitentes eadem die ad percipienda corporis et sanguinis dominici sacramenta reconcilientur." (*Regesta Pont. Rom.* (ed. Jaffie, Wattenbach, etc., 1888.) M., P.G., t. 5, col. 1140. See also Aug. *Serm.* 351, c. 4, t. 39, col. 1542-3; *Ep. ad Januar.* 54, n. 3.

[2] The Jansenists were in fact condemned for their attacks on those who maintained the right of absolved penitents to receive the Eucharist (Prop. 22: Alex. viii., 1690). St. Augustine (Serm. 352, c. 3, n. 8) gives the reason of the early prohibition. "They are prevented from participating in the sacrament of the altar lest, by receiving unworthily, they eat and drink judgment to themselves." See also p. 34.

[3] Tert. *De Bap.* xx. The Egyptian *Constitutions* required three years' probation for Baptism (Funk, Vol. II., p. 107). The various stages of penance, afterwards established, were in fact modelled on those of the Catechumenate (cf. Neo Caesarea, c. 5).

surprising if she exacted even stricter proofs of loyalty from those who had broken their Christian vows and whose due disposition, in view of the sacrament they sought, was a matter of paramount importance.

But the proof on which after all I am most disposed to rely, for the practice of the Western Church at least, is contained in the words of Pope Callistus. He was the advocate of mercy and milder practice; his teaching, therefore, may be presumed to exhibit no undue severity. He spoke as the Bishop of Rome and the head of the Catholic world; his doctrine, therefore, was the doctrine of the Church. With all the force and authority of the successor of Peter[1] he reprobates the Montanist excesses. But on one point there is no yielding, no hint of a reformation of the current practice; the pardon he promises is only to be granted to those "who have already discharged their penance."[2] The author of the *Philosophumena* attacks him and his followers for "remitting all men's sins" and for "offering communion rashly to everyone" in a way that implies, if it does not necessitate, the identification of "remission" and "granting of communion."[3]

For the Eastern Church we cannot speak with the same degree of certainty. True, Origen's testimony and the arguments drawn from the refusal of the Eucharist and from the analogous treatment of

[1] Cf. Tert. *De Pud.* xxi. 9: "si quia dixerit Petro dominus: 'super hanc petram,'" etc., 1., 6. "Pontifix scilicet maximus quod est episcopus episcoporum."

[2] . . . "delicta poenitentia functis dimitto." Apud Tert., *De Pud.*, I., 6.

[3] *v.p.* 18.

penitents and Catechumens apply with equal force to the East and West. In the *Didascalia*, too, which describes the Syrian practice, the effects of the final absolution are declared to be identical with those of baptism.[1] Neither should we lose sight of the probability that in such a fundamental matter of Church discipline the practice of the Eastern and Western Churches should have harmonized in at least the more important details.[2] But a remark of Sozomen's complicates the question. He seems to assert that the "Priest Penitentiary absolved the penitents who confessed, and they afterwards inflicted on themselves penance for their crimes."[3] When we reflect, however, that the Greek word employed[4] bears usually the meaning "dismissed,"[5] that Sozomen himself in the same chapter attributes sacramental efficacy to the final absolution at Rome,[6] and that, in case he really meant to suggest a different practice in the East, he may have been betrayed into attributing to earlier ages the practices associated with the Church of Constantinople of his own time, we should pause before allowing his testimony to stand against

[1] See the text quoted, p. 26.

[2] See also p. 103.

[3] *H.E.*, L. 7, c. 16, P.G., t. 67, col. 1460.

[4] ἀπολύω.

[5] It certainly seems to bear that meaning in the *Cons. Apos.* and in the original Greek of the *Didascalia* (*v.* p. 49): the penitent so treated is advised to do penance *that he may become* worthy of the remission of his sins." The recognised term for 'to forgive' was ἀφιέναι.

[6] After the performance of the penance "when the appointed day arrived the penitent, having paid off his debt, is freed from his sin (τῆς ἁμαρτίας ἀνίεται) and takes his place among the laity." (*H.E.*, *ib.*, col. 1461.)

the vast body of circumstantial evidence gleaned from purely contemporary sources.[1]

It has sometimes been urged against the sacramental character of the final reconciliation that at the time of St. Cyprian, and possibly at an even earlier date, it was, in case of necessity, administered by deacons.[2] To the modern theologian the objection appeals with considerable force. The theory that sacramental absolution could be granted by a deacon is out of harmony with his whole scientific system. He is inclined to disregard historical perspective and to project into the second century the perfectly developed conclusions of the twentieth. Yet he should remember that his system is the growth of many years and the work of many minds, and that doctrines now taught to children in the schools were to the early Christians anything but commonplace. If general principles like these are not sufficient to meet the objection, he might descend to particular facts. He might remember that not a few of the individual churches would seem to have been ruled exclusively by deacons.[3] He might

[1] The Grecks of the present day, as Morinus learned from a personal consultation with the authorities of their Church, regard the final absolution as a mere indulgence. But, as Chardon remarks (*M., Theol. Curs. Com.* xx. 658) "if these are the feelings of the Greeks at present, I have great difficulty in persuading myself that their ancestors entertained the same. . . There is every reason to believe that the first absolution was merely preparatory."

[2] Cf. Cyprian's 12th Letter (to his clergy), P.L., t. 4, col. 259) "Apud presbyterum quemque presentem, vel, si presbyter repertus non fuerit, et urgere exitus coeperit, apud diaconum quoque exomologesim facere delicti sui possunt (fratres qui libellos acceperunt) ut, manu eis in poenitentiam imposita, veniant ad Dominum cum pace quam dari martvres desideraverunt." So, 32nd canon of Elvira, etc.

[3] Cf. 77th canon of Elvira "Si quis diaconus regens plebem sine episcopo vel presbytero, etc."

recall that ten centuries later, when a definite sacramental significance was certainly attached to "absolution," the Synod of Angiers passed the following statute: "Since no one should interfere in a matter that does not concern him . . . and since we understand that in certain parts of our diocese rectors employ deacons who, without necessity, hear confessions and absolve indifferently and bring the body of the Lord to the sick and administer it,—things which they cannot do except in case of necessity,—these matters we forbid : . . deacons to do except when necessity urges."[1] He might read, too, a similar decree of the Council of Rouen : [2] "Let no deacon . . . hear confessions . . . except when the priest is absent so that his arrival cannot conveniently be waited for, or . . . is prevented by grave sickness or some other insurmountable impediment."[3] He might recollect that Stephen of Autun, in his tract on the "Sacrament of the Altar," states that "in certain matters, deacons hold the place of priests as in baptizing, giving communion, and mercifully hearing the crimes of those who confess ;"[4] that Odo of Paris, by a prohibition in his *Constitutions*, clearly shows that such conduct on the part of the deacons if generally sanctioned by the Church, would imply their possession of the power of the keys ; and that St. Thomas, with all the wisdom of the past to guide him, maintained the quasi-sacramental efficacy of confession made to laymen in

[1] 1275 A.D. [2] 1251, A.D.

[3] C. 7. The teaching was of course, repudiated later on.

[4] C. 56. "We forbid deacons to hear confessions, except in cases of urgent necessity, for they have not the keys and cannot absolve' (M., *Theol. Curs. Comp* xx., 417.)

case of necessity.[1] And having collected innumerable other curious facts of the same description and apparently authoritative statements [2] which, on a closer scrutiny of dogmatic principles, were proved to be untenable, he might come to the salutary conclusion that the mere fact that a deacon officiated at the death-bed, when no priest could be found to take his place, does not of itself prove that the absolution granted was not regarded by the early Church as sacramental.[3]

* * * * * * * *

There is one aspect of the rival theory which it may be well to emphasize. It is this. The denial of the sacramental character of the final reconciliation deprives us of practically the whole prescriptive argument for the exercise of the power of the keys and weakens the force of some of our strongest proofs for the existence of the power itself.[4]

Let me not be misunderstood. There are statements in the early Fathers and writers—I have quoted some of them already—which establish the Church's power

[1] "In necessitate laicus vicem sacerdotis supplet . . . confessio laico ex defectu sacerdotis facta sacramentalis est quodammodo" (3a. *pars.*, *supp.*, q. 8, a. 2).

[2] Cf. Alcuin, *De Div. Off.*, "si autem necessitas evenerit diaconus suscipiat poenitentem;" Morin, L. 8, c. 23; Martene, *De ant. ecc. rit.*, L. 1, c. 6., *Theo. Anecd.*, t. 4, p. 144; Migne, *Cours. Comp. D' Hist. Ecc.*, t. 12, col. 471; Councils of Tours (1163), York (1194), London (1200), Worcester (1240), Poitiers (1280), etc.

[3] I may mention that the special texts urged in favour of an early absolution belong to a period three hundred years later than the one we are reviewing and deal with the exceptional case when there was imminent danger of death. (Aug. to Honorat., P.L., t. 33, col. 1016: Innoc. to Exsup., t. 20, col. 498-9: Celestine to bishops of Narbonne, etc., t. 56, col. 577).

[4] Dr. Lea is fully aware of the fact. See *op. cit.*, Vol. 1, p. 9, n. 3.

over post-baptismal sin in such an unqualified manner that no particular theory as to the circumstances in which the power was exercised can affect them in the slightest. But these are texts, after all, in which the power is vindicated in a general way, without any hint being given as to the manner and circumstances of its use. When the writers approach this latter point they are silent regarding a previous absolution and concentrate their attention on the final reconciliation. The critics, therefore, who deny that the Church intended to confer a remission of sin at the end sweep away the records of the actual administration of the sacrament of penance in early times, and excite, in consequence, in relation to the dogma itself, the scepticism that is naturally felt regarding the existence of a power that is never actually exercised.

To take a few examples. In the early writings you will look in vain for a clearer proof of the power of the keys than is contained in the Pope's famous "ego dimitto." Yet what, after all, is implied? Merely the grant of a favour to those "who had already discharged their penance." The upholders of the theory I am dealing with maintain that the only favour granted to "those who had discharged their penance" was an indulgence or, perhaps, a mere external reconciliation with the Church. They cannot, therefore, if they wish to be consistent, suggest that Callistus meant his words to apply to a real direct remission of sin. Yet, needless to say, that is precisely what they do; the words, in fact, are too clear to be interpreted in any other sense.

The Jesuit writer, Fr. Louis de San, in his able

exposition and defence of the power of the keys, bases his arguments, for the beginning of the third century, on the condemnation of the Montanist doctrine by the Church. The syllogism runs somewhat as follows: "What the Montanists refused in certain cases the Church granted to penitents generally. But the Montanists refused a real absolution of sin. Therefore to penitents generally the Church granted such a real absolution."[1] Against this argument, supported by copious quotations no protest can be suggested. The line of defence is excellent. But the learned author afterwards states that the remission was effected not in the final reconciliation, but through an absolution given immediately after confession. Mark the result. "What the Church under Callistus"—to use the syllogistic precedent "granted, and the Montanists refused, was the absolution of those 'who had duly discharged their penance.'[2] But the absolution granted to those 'who had duly discharged their penance,' did not (according to Fr. de San) effect a real remission of sin. Neither Callistus, therefore, (necessarily) granted, nor did the Montanists refuse, a real remission of sin." Is not this a strange bouleversement? And should it not make us careful to count the cost before we insist on applying the principle "semper eadem" to the minor details of Catholic practice?[3]

[1] *Tractatus de Poenitentia*, pp. 196, ff. (ed., A.D. 1900).

[2] So Callistus' "edict." It was certainly against this post-penitential absolution and nothing else that Tertullian, voicing the opinion of the Montanists, protested. (*De Pud., pass.*)

[3] Cf. the same writer's proof [p. 206 (note)] of the sacramental character of penance from the word "subveniri" which, as the context shows, is applied to the final absolution.

One of our strongest arguments, it will be remembered, for the power of the keys, was derived from the directions given to bishops in the *Didascalia.*[1] Yet the parallel between Penance and Baptism disappears and the whole text becomes utterly useless if the value of the final rite is questioned. So, too, in regard to Origen's statements. If the final reconciliation was not sacramental, then the "cure" and the "healing" which awaited the penitent undergoing the public discipline did not imply a real remission of sin. And if they did not imply a real remission I fear we may search Origen's pages in vain for a single record of a case in which it was ever effected. Similarly if the "healing" described by Hermas[2] is only an external reconciliation or remission of punishment, we may leave the *Shepherd* aside when we set out to establish the power of the keys.

As St. Cyprian is the first of the Fathers to give a fairly detailed account of the administration of Penance, it would be necessary, for a full development of my argument, to enumerate his statements and indicate the destructive effects of the theory which minimizes the importance of the final absolution. As this would, however, lead me beyond the limits I have chosen, I will give just a single example. Fr. Casey, in reply to Dr. Lea's attack on the power of the keys, quotes a remark of St. Cyprian's[3] which, as every honest critic will admit, is a striking vindication of

[1] *v.* p. 26.

[2] *Sim.* vii., 4-5, *v.*, p. 100.

[3] *Notes on Lea*, p. 34.

the Church's power and practice:—"All these warnings being scorned and contemned—before their sin is expiated, before confession has been made of their crime, before their *conscience has been purged* by sacrifice *and the hand of the priest*,[1] before the offence of an angry and threatening God has been appeased—violence is done to His body and blood."[2] Unquestionably "a passage of much significance for Catholics": sinners "must have recourse to the priest to have their conscience cleansed."[3] But turn to Fr. de San's treatment of the passage. "There is question here of an imposition of hands . . . which is manifestly an absolution *in foro externo*. . . . There is no force in the argument drawn from the fact that Cyprian indicates that the imposition of hands pertained to the cleansing of the conscience.[4] And so Fr. Casey's argument is exploded by one of his friends, and Dr. Lea's attacks, as far as this text goes, triumphantly vindicated! Is not the alliance of the Catholic apologist and Protestant critic rather suggestive? Fr. de San, I need hardly say, is, in the passage indicated, concerned not with the existence of the power of the keys but with his own theory as to the manner in which it was exercised. Were Father Casey to treat the whole subject and follow that theory he would be obliged to prepare a new edition of his book and omit the telling quotation. That he could retain the greater number of the passages he cites is due to the fortunate accident that the Fathers were occasionally content with affirming

[1] The italics are Fr. Casey's. [2] *De Lap.*, n. 16.
[3] Fr. Casey, *ib.* [4] *De Poen*, p. 226, n. 2.

the power of the Church without explaining how the keys were applied in actual practice.[1]

It is a pity that the exigencies of a pet theory on a matter of discipline should be allowed to obscure the evidence for Catholic dogma. It is equally a pity that in our over anxiety to soften the asperities of ancient practice we should blot out the records that tend to show how, outside the case of a death-bed repentance, the Church's power was generally exercised. For my own part I feel reluctant to sacrifice a single expression of the ancient faith, and confess I should like an occasional glimpse of the sacramental process by which in the ordinary life of the very early Church the stains of sin were removed from the soul and Christ's commission of mercy fulfilled.

* * * * * *

To the commoner view, however, this concession may be made. The early Fathers, not having reduced theology to a scientific system, were unable to indicate the precise point at which remission was secured and were inclined, perhaps, to maintain that it was granted *in part* at the very beginning of the public discipline. "The problem of modern theologians—at what time and in what form forgiveness was imparted to the sinner—did not occur to many," while others "did not necessarily ask themselves which of the prayers said over the penitents produced the sacramental effect any more than they inquired which of the many

[1] Cf. M. Vacandard (*Dict. de Théol. Cath.*, art. "*Absolution*"): his texts from the *Shepherd* (taken in conjunction with *Sim.* vii., 4-5), (col. 148), from Callistus, Innocent I., Sozomen, Leo (col. 149), Gennadius (col. 152), Benedict, Eloi, Egbert (col. 161-2), etc., lose all their force if the final reconciliation is held not to confer a true remission of sins.

unctions applied by a priest, or by several priests, as in the Greek rite, acted sacramentally upon them. They performed the complex ceremony believing in its mysterious efficacy, and left the rest to God and to the curious inquirers of later generations."[1] And hence, while clearly indicating, I maintain, that the complete remission of sin was subsequent to the fulfilment of the discipline, they very probably held, implicitly at least, some such theory as Origen expressed in regard to "partial absolution."[2] In this sense I can admit with M. Vacandard that "the mere imposition of penance implied a kind of absolution."[3] The prayer recited over the penitent after confession was probably in itself quite sufficient to convey a sacramental absolution and may have, if such was the intention of the minister, actually conveyed it in particular cases. All I should wish to conclude from the evidence adduced—and with the conclusion I am sure no one who studies the documents impartially will seriously quarrel—is that, as a general rule, the penitent was regarded as bound by his sins till the moment of the final reconciliation and that, consequently, however valid the form, there was no intention of conferring the sacrament at the beginning of the penetential process.[4] We have something analagous in our own practice. The prayers, "Misereatur, etc.," "Indulgentiam, etc.," recited before the "Ego te absolvo," are apparently—if regarded as absolution formulæ—quite as valid as

[1] Dr. Hogan in *Amer. Cath. Quar. Rev.* (July, 1900.)

[2] *v.* p. 103

[3] Art. "*Absolution*" (*v.* p. 115).

[4] M. Vacandard (*ib.*, col. 160) grants that in imparting the *final* absolution "the bishop often, if not always, had the intention of absolving"

many of the deprecatory forms in use in the early Latin Church. Yet they produce no sacramental effect on the penitent.[1] Why? Abstracting from the theory that the Church has changed the form of the sacrament, simply and solely because the confessor conforms his intention to that of the Church and defers the absolution till the indicative form is pronounced.

* * * * * *

The postponement of the absolution, like the public penance itself and other regulations[2] to be discussed later on, represents merely a passing phase of the Church's development of discipline, suited to a time when Christians were comparatively few and their fervour and enthusiasm strong. They realized intensely the malice of their sin, and, without asking themselves what theoretically was the earliest moment at which pardon might be granted, were content in practice to wait for absolution till they had atoned for their ingratitude and satisfied the claims of justice by a long course of self-abnegation. They emphasized more than we the medicinal, as distinct from the judicial aspect of the sacrament. The Church recognised the feeling of the time and shaped her course of discipline accordingly. Yet her grant of immediate pardon to the dying sinner shows her appreciation, even then, of the distinction between penance and contrition, and her conviction that, provided there was really a sorrow for the past and a conversion of the heart to God, a long course of external

[1] Trent., *Sess.*, xiv., *cap.* 3.

[2] *v.* pp 123, sqq.

penance was not essentially required.[1] When, therefore, at a later date converts of every race and every degree of moral strength were brought within the fold, and when, owing to the decay of the early heroic spirit, the postponement of pardon would merely drive the ordinary sinner to despair and induce him to abandon the sacrament completely,[2] she was able to modify her discipline without sacrificing principle. Jansenistic rigorists[3] might denounce the change and clamour for the return of adult Christianity to the cradle of its childhood. But the Church knew better.[4] Liability to temporal punishment would indeed, generally remain and penance should therefore be inflicted; circumstances might arise that would render the postponement of absolution in certain cases advisable or even imperative; but, in general, if the sorrow of a moment won the Magdalen a pardon of her sins and the penitent thief a promise of salvation, so might it be with every sinner in the Church.[5]

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[1] St. Cyp. (*Ep. to Ant.*) enumerates various motives for granting immediate absolution in special cases, *e.g.*, fear of driving the sinner to heresy or despair, approaching persecution, etc. Cf. *Ep.*, 59 *to Fidus.* t. 3, col. 1014; Pope Celestine, P.L., t. 56, col. 577-578.

[2] Pope Leo (t. 54, col. 1211) gives this very reason for dispensing with public confession.

[3] *e.g.* Osma, Huyghens, Gabriel, Quesnel, etc. Council of Pistoia, etc.

[4] See props. condemned by Alex. VIII. (16-18), Clement XI. (87-89), Pius VI. (34-6).

[5] The condemnation of the Jansenistic movement, it is hardly necessary to add, leaves historical theories untouched. Had they confined their attacks to the Church's action in abandoning canonical penances they would have been condemned just as well: yet no one denies that such penances were once really inflicted. Their error consisted in regarding the early practice as the only one in harmony with the law of Christ and the true function of the sacrament. (Cf. M. Batiffol, *op. cit.*, p. 6.)

What the exact words of the absolution formula were none of our witnesses state. It probably took the form of a deprecatory prayer,[1] and was accompanied with an imposition of hands.[2] If it be justifiable to trace to these early times practices to which there is direct testimony only in later centuries[3] it would appear that prayers were recited over, and hands imposed on, the penitent not only at the end but at the beginning and at various stages of the disciplinary process. Arguing from this supposition some critics, while admitting the sacramental nature of the final reconciliation are inclined to say that the earlier prayer conveyed a sacramental absolution also.[4] The theory, in view of what I have already said, is hardly probable. If the opening prayer was sacramental, so were all those that intervened between it and the close of the public penance. And, apart from the proofs already given that those undergoing the penance were regarded as still bound by their sins, it would be an unheard-of practice and at variance with all theological systems to pronounce a series of absolutions over sins that were confessed only once and expiated by a

[1] Cf. Origen, *De Or.*, c. 28 ("provided they pray, etc,"); Tertullian ("Christus Patrem deprecatur." *De Poen.*, x., 6); Clement's account of St. John's absolution of the robber ("promising pardon and praying,' *Quis Dives.*, c. 42, t. 9, col. 649), etc. The first definite absolutior formulae are long deprecating prayers, *e.g.*, in the Gelasian Sacramentary (P.L., t. 74, col. 1096).

[2] Cf. *Didas.* II., 18, 7 (Funk); "ei manus impone" is the direction to the bishop. So St. Cyp. (*pass.*): IV. Carth., cc. 76, 80, etc. St. Aug. identifies prayer and imposition of hands (*De Bap.*, t. 43, col. 149.)

[3] No mention in the *Didas.* (*v.* pp., 26, 49).

[4] So apparently M. Vacandard.

single penance. If it be suggested that the confession was repeated and the discipline regarded as divided into various sections, I answer that, again apart from the absence of evidence for such a statement, the theory would imply a series of sacraments the existence of which no theologian that I have consulted ever suspected or dreamt of maintaining.

Regarding the absolution, however, one point is clear. It was given, in ordinary cases, by the bishop. Others may have joined in the prayer and laying on of hands[1] as priests do now in the ordination ceremony, but the real effective absolution came from him alone.[2] Tertullian is most explicit on the point; "veniam ab episcopo consequi poterit."[3] Irenaeus is silent: Clement's words are ambiguous: but Callistus' "ego dimitto" points to the exercise of the power as confined, in the Roman Church, to himself; the *Didascalia* mentions the bishop alone as judge of repentant sinners:[4] and Origen, however peculiar his views as to the necessity of sanctity in the minister,[5] confines the power of the keys all through to the successors of the apostles invested with the "sacerdotal," that is according to the almost

[1] So, at least, some years later. Cf. Cyp. *Ep.* x. ("ante manum ab episcopo et clero in poenitentiam imposito"), etc. Cf. Tert. *De Pud.* c. xiii. (*v.* p. 14).

[2] The distinction is well brought out in the *Didas.* (II., 40, 1-2 "huic (poenitenti) manum impones, omnibus pro eo precantibus)." *v.* p. 26.

[3] *De Pud.* xviii. 17. Cf. *ib.* xxi. 17 "ecclesia numerus episcoporum," and his address to Callistus (p. 14).

[4] II. 12-18 (*pass*).

[5] *v.* p. 19 (note).

universal terminology of the first five centuries, the "episcopal" dignity.[1]

It is one of Tertullian's charges that in the Catholic Church martyrs were allowed to reconcile sinners.[2] The attack is considered by some[3] to be founded on fact, yet when we come to consider the evidence it does not seem unlikely that Tertullian was mistaken. True, according to the *Didascalia*, the holy martyr is to be regarded as an "angel of God" and a "god upon earth,"[4] and Origen regards the remission of sin as somehow due to his intercession.[5] Doubtless, too, there were abuses then as in subsequent times, for the 'spirituals' were claiming the power, and the martyrs might regard themselves as no less entitled to serve as mediators between the sinner and God.[6] But that they generally claimed the power of the keys, or that the Church recognised their claims when proposed, I see no strong reason for asserting. Fifty years later the Roman Church declared such pretensions opposed to the "Gospel law,"[7] and the following contemporary statement, quoted by Eusebius,[8] tends to show that

[1] *v.* M. Batiffol *op. cit.*, pp. 164-8, especially p. 167. It was from his father, the Bishop of Sinopé, that Marcion, the heretic, sought pardon (Epiph., *Haer.*, 42. 1.) The prohibition against the administration of the sacrament by simple priests continued for many centuries. Cf. Councils of Seville (7th cent.), Pavia (9th cent.), etc. As is plain from the Canons of Hippolytus (cc. 31, 32), priests had the power, though they did not usually exercise it.

[2] *De Pud.* xxii., 1, 6. [3] *e.g.* M. Batiffol, *op. cit.*, pp., 100 sqq.

[4] v. 1, 2 (Funk).

[5] *Exhort. aa. Mart.*, c. 30. . . . "ministrant remissionem peccatorum."

[6] There seems to have been a custom of the kind in the Church of Alexandria (Euseb. *H.E.*, L. 6, c. 42. t. 20, col. 616).

[7] *v.* M. Bat. *op. cit.*, p. 124.

[8] *H.E.*, L. 5, c. 2, t. 20, col. 433-6.

the Church of the previous generation shared the feeling. The churches of Southern Gaul, he tells us, transmitted to their brethren in Asia and Phrygia an account of the virtue and sufferings of their martyrs in which their relations to sinners are described as follows: "They neither called themselves martyrs, nor would they allow us to give them the title. . . . With prayers they besought the brethren to pray continually for the happy ending of their toils. . . . During life they defended everyone, accused no one, strove to break the chains of all, and bound none: following the example of the martyr Stephen they prayed for those who delivered them up to torture, saying, 'Lord, do not impute this sin to them.' . . . All the more did they pray for their brethren. . . . They did not glory in the fall of their frailer brethren, but shared in a spirit of charity with those who were not so well provided for the gifts which divine grace had showered so abundantly on themselves. Touched with pity, like a kind mother, they poured out many a tear for their salvation before God the Father; they begged God to give them life, and God gave them life and they communicated it to their brethren." The lives and prayers of the martyrs were a blessing to the Christian community, and won repentance and pardon for many a sinner. So do the lives and prayers of the saints to-day. But just as saints, as such, do not hear confessions or confer absolution, neither were the martyrs as such commissioned to exercise in the name of Christ the powers of binding and loosing He had left to His Church.

CHAPTER VIII.

How Often was Penance Administered?

Sed jam semel, quia jam secundo; sed amplius nunquam quia proxime frustra.—Tertullian.

In gravioribus criminibus semel tantum poenitentiae conceditur locus. —Origen.

The Church as we have seen set her face against the tenets of the rigid school and held out a second hope of pardon through the Sacrament of Penance. Yet the opposing forces were too strong to be wholly disregarded. If a golden mean is to be selected between opposite extremes, mutual concessions become an absolute necessity. So it was in this case. The existence of the Sacrament of Penance was affirmed, but, apart from probable exceptions to be mentioned later on, when the strict and rigid penance was imposed sacramental absolution was granted only once.

A regulation of this kind betrays a spirit so different from our own that to the modern Catholic its general adoption may well seem incredible. Yet there is no gainsaying the evidence.

Clement of Alexandria and Origen speak for the East. The former tells us[1] that infidels receive pardon through Baptism and Christians through Penance. "God," he continues, "Who knows the heart and foresees the future. . . . . has in His mercy granted even to the faithful who fall into any sin a second penance, so that if any of them after his call to the faith is tempted and cunningly circumvented by

[1] *Strom.* L. 2, c. 13, P.G., t. 8, col. 996.

the devil, he shall still have one penance," but a penance "*of which he is never to repent.*" "In the case of the graver sins," Origen tells us,[1] an opportunity for penance is granted only once; but the common sins which we frequently incur admit of penance always and are expiated time after time." From the marked contrast between the "graver sins" and those which Christians "frequently incur" it may fairly be concluded, as I have already stated, that all sins confessedly mortal were included in the former category. The attempts made in later editions of Origen's works to soften the text by transforming "once" into "once or rarely"[2] furnish the most convincing proof that could be offered that the text itself, understood in its plain and natural meaning, demonstrated an early severity of practice wholly out of harmony with the milder spirit of a later time.

For the West the evidence is equally conclusive. "For the servants of God," the Shepherd had said, "there is (but) one penance. . . . He has had compassion on His creatures and appointed that penance and to me has authority been granted in its regard. And I say unto thee, if anyone after that great and holy calling shall be tempted by the devil and sin he has one (opportunity for) penance; but if he shall often[3] and repent it shall not profit such a one, for he shall hardly live with God."[4]

[1] *Hom.* 15 *in Lev.*, t. 12, col. 561.

[2] "Semel tantum vel varo." See Migne, *Cours. Comp. d'Hist. Eccl.*, t. 12, col. 771.

[3] Or "lightly," "off-hand" (ὑπὸ χεῖρα, subinde.)

[4] *Mand* iv., c. 1, n. 8; c. 3, n. 4, 5, 6 (from Funk, pp. 394-5, 398-9).

Tertullian is even more explicit. As a recent writer[1] has well put it, "with bated breath he contemplates the terrible possibility of post-baptismal sin. . . . The doors of mercy are half opened once, and once only, by the God of compassion. One chance, and one only, is given of building up the ruined temple and reviewing the consecration of Baptism." "Though," he tells us, "the gate of forgiveness has been shut and fastened up with the bar of Baptism, God, foreseeing the poisonous suggestions of the enemy, has permitted it still to stand open somewhat. In the vestibule He has placed penance the second to open to such as knock; but now once for all, because now for the second time; for the future never, because the last time it has been in vain."[2] This penance he afterwards styles the "second and only one."[3] He had prefaced his treatment of it by an apology which only accentuated the doctrine more strongly. "I am ashamed," he said, "to append mention of the second—nay, in that case the last—hope, lest by treating of a remedial penance still in reserve I may seem to be pointing to a yet further space for sinning."[4] There is no doubt whatever about his teaching. He spoke of penance as the second "plank" of human salvation,[5] but intended a meaning very different from ours when we use the same expression. It was the "second

[1] Fr. O'Dowd in the *I. E. Record* (1906, p. 137.)

[2] "Sed jam semel quia jam secundo: sed amplius nunquam quia proxime frustra." *De Poen.*, vii., 10.

[3] "Hujus poenitentiae secundae et unius." *De Poen.*, ix., 1.

[4] *Ib.* vii., 2: "secundae, immo jam ultimae, spei."

[5] *Ib.* xii., 9. (*v.* p. 13.)

plank," in the sense that after the second remission of sins there was, as far as strict ecclesiastical Penance was concerned, never a third.

Is not all this very strange? Unquestionably it is. But we must remember that the age was one of heroic virtue. The Church was still fresh from its contemplation of the tragedy of Calvary, nor had men grown so much accustomed to the story of the Saviour as to regard with comparative indifference the divine agony by which man's sin had been atoned for. The courage which enabled converts—of whom the Church was mainly composed—to renounce the ties of family and friendship and the varied pleasures of pagan life and to face the contempt with which the cultured Roman world of the time regarded what it was pleased to consider merely another superstitious offshoot of Eastern fanaticism, must have sprung from an intense conviction and practical devotion that would render them to a great extent independent of the existence of a sacrament of Penance and more or less intolerant of an elaborate provision for the reiterated pardon of those whose conduct brought disgrace on their Christian profession. The apostolic ideal of holiness was the one they cherished, and the mysterious texts of the New Testament which spoke in gloomy terms of the fallen Christian were too much in harmony with their own convictions to be passed over lightly as the rhetorical expression of exaggerated zeal. Penance was for the sinner and the pagan; the Christian was neither, for he "walked in the light and committed no sin."[1] In the

[1] John, III. 9.

beginning of every movement which seeks to revolutionize society, principles must be applied and conduct regulated with a rigour and precision unknown later on when the movement has succeeded and men generally have been induced to profess the doctrines it inculcates. So it was in the infant Church. The virtues of the Christian were her weapons against the vices of the pagan world: she should, therefore, adopt every regulation that would tend to intensify those virtues and to disassociate as far as possible the ideas of Christian sanctity and repeated relapse. When the Church should have spread through the civilized world and embraced the vast body of normal humanity, account might have to be taken of ordinary frailty and provision made for the needs of the plain man in whom even charity would fail to detect a paragon of virtue. All that, however, was still of the future; it was now the age of exalted ideals, intense hope and vigorous achievement: stainless life seemed no special privilege: men and women were daily summoned to seal with their life-blood their profession of the faith. "Heroic virtue was in the air: and the martyr's death was expected, and hoped for, lot of all." Some few might yield in the struggle, and the mantle of the Church's superlative mercy would shelter even them. But let them not presume on her indulgence. If they fell again, she ceased to feel the same interest in them as before. They "had tasted of the heavenly gifts and were made partakers of the Holy Ghost." yet "had fallen away," "crucifying again to themselves the Son of God and making Him a mockery": it was "impossible for them to be renewed

again to penance": they were "reprobate and very near unto a curse, and their end was to be burned."[1]

Yet there was hope even for the relapsed. God's mercy was above all his works. Tertullian, speaking of the sinners to whom he would have the Church refuse absolution—and the same principle would, of course, apply to those whom the Church actually did refuse to pardon—does not look upon them as beyond redemption. Idolators, adulterers and murderers are to undergo the public discipline at the door of the church[2]: they are to "pour forth the tears that bring no peace" and are "to gain *from the Church* no ampler return than the publication of their disgrace."[3] But if the Church is inexorable, God is not. "For this will be a penance which we, too, acknowledge to be due, but which we reserve for pardon to God."[4] "If the penance reaps not the harvest of peace here, it sows the seeds of it with the Lord; nor does it lose, but prepares, its fruit. It will not fail of emolument if it do not fail in duty. Thus, neither is such penance vain nor such discipline harsh: both honour God. The former by laying no flattering unction to itself will more readily win success: the latter by assuming nothing to itself will more fully aid."[5] The arrangements made at subsequent periods to encourage the lapsed and alleviate despair[6] show clearly that though the Church refused to intervene by granting absolution she taught the sinner to appeal to the divine mercy in the confident

[1] *Hebr.*, vi., 4-8. [2] *De Pud.* iii., 5, v., 14.
[3] *Ib.* I., 21. [4] *Ib.* xix., 6. [5] *Ib.* iii., 5-6.
[6] Cf. Cyp., *Ep.* ii., xxxi., etc. Aug. to Maced. *Ep.* 153, etc.

trust that a "contrite and humble heart would never be despised."

With a manifest repugnance to this early rigour certain critics have maintained that though the Church appointed no public penance for the relapsing sinner, she granted him as she does now, a private absolution. Fr. Harent, for example, writing in the *Etudes*[1] elaborates a beautiful theory. Parallel with, and subsequent to, the public penance there was, he maintains, a milder form of discipline. The public penance, which was inflicted, of necessity, only in the case of the more serious public crimes, was regarded as a favour by the early Christians, much as admission to a religious order is at present: it was a second baptism and meant the full remission of the temporal punishment for sin. Surrounded, as First Communion is to-day, with the impressive functions of Church ceremonial, it produced such a strong impression on the Christian imagination that the milder form of penance was almost forgotten. Hence the instinctive silence of the Fathers in regard to the latter; it was merely an abbreviated form of the other and rarely called for special mention. Their silence was also, to a great extent, intentional: directions regarding it would only familiarize the neophytes and catechumens with the possibility of Christian sin and lower the general religious tone of the community.

Like many other beautiful things, however, I fear the theory is rather the offspring of a kindly poetic fancy than a generalization from actual facts. We have discussed it in part already, The statements

[1] 5th Sept., 1899.

quoted above make it clear that the humiliations to which penitents were subjected were regarded not as a favour which might be dispensed with, nor as an easy method of atonement for temporal punishment, but as the rigorous and necessary means for the remission of the sin itself.[1] The spirit of the time was such, and the malice and treasonable character of mortal sin so clearly realised, that the Church—and she was the best judge—required, even in the case of those who appealed for the first time to her tribunal, a long period of trial as satisfaction to God and proof of a better disposition.[2] It would be strange, to say the least, that she should have exhibited greater leniency towards those guilty of repeated delinquencies or should have been content in their case with less striking indications of a true repentance.

We are assured, indeed, by Fr. de San[3] that the public penitents were really in a happier position than those who for their repeated offences were undergoing the milder discipline: the former might hope to be restored in time to full Christian privileges, whereas the latter were debarred from communion during life. In view of the long duration of the public penance, the statement, even if based on fact, would be rather questionable. But is it based on fact? On what grounds is it asserted that men who had received a private absolution were denied the reception of the Eucharist?[4] It would certainly be a most extraordinary

[1] Some were forced to undergo it, and generally speaking, it was imposed on the greatest sinners in the Church.

[2] Cf. Cyp. *Ep.* xxxi.

[3] *De Poen.*, p. 23. [4] *v.* p. 104, p. 43 (note 3).

practice. The learned author is loud in his denunciation of the refusal of Penance: has he no word of censure for this gratuitous refusal of the Eucharist? Father Harent endeavours to explain the silence of the Fathers for the first four centuries in regard to private penance. Their silence in itself would be strange enough; had a system similar in every detail to our own existed all those years, it would have been attacked by non-Catholics as ours is to-day, and apologists would have spoken out as St. Justin Martyr did regarding the Eucharist. But, unfortunately, it is not merely their silence that has got to be explained: we are face to face with their positive assertions that, as far as the Church was concerned, there was, after the public penance, no second pardon for the sinner. Of that penance "the sinner is never again to repent." [1] "In the case of the graver sins an opportunity for penance is given only once." [2] "For the servants of God there is but one penance: . . if (the sinner) shall often sin . . he shall hardly live with God." [3] "But now, once for all, because now for the second time: for the future never, because the last time it has been in vain." In the "second and only penance" there is centred "the second—nay in that case the last—hope." [4] Would faith in the power of the keys and in the saving virtues of a private penance have allowed the writers to make statements of this kind had a private penance been actually granted? Bearing in mind that as the Church spread she became more indulgent, it is hard to understand how the milder form of penance could have given place to the

[1] Clement. [2] Origen. [3] Hermas. [4] Tertullian.

rigorous discipline disclosed in the penitential books of the seventh and following centuries—the only discipline then in force as Catholic historians freely admit. The same suggestion is conveyed by an incident in St. Augustine's life, which it may be allowable to mention here as throwing light on the rigour that must have prevailed in still earlier times. Macedonius had written to him to inquire on what grounds bishops interceded with civil judges to have the sentence of the law occasionally set aside, seeing that "sins were so strongly prohibited by the Lord that no opportunity even for penance was granted after the first."[1] Here, surely, was an opportunity for speaking of private penance had such existed. What more easy than to state that, though the Church in her wisdom refused a second solemn penance, there was a secret discipline which, as regarded the remission of sin, was equally effective? We can easily imagine the vigorous reply of a Catholic bishop of the present day if a correspondent suggested that there was no chance of pardon after the first: omission to state the Catholic practice would be, in the circumstances, a strange neglect of his duty as a teacher. Yet Augustine does nothing of the kind. He contents himself with declaring that, though the Church grants no penance, none can deny that God may pardon. "The iniquity of men is sometimes so great that, even after the performance of penance and after the reconciliation of the altar, they commit the same crimes or even greater still, and yet God causes His sun to rise over such

"[1] Ut ne ne poenitendi quidem copia post primam tribuatar." *Ep.* 152, t. 33, col. 653.

men and bestows on them as lavishly as before the most generous gifts of life and salvation. And though an opportunity of undergoing humble penance is no longer granted to them in the Church, God, nevertheless, does not forget His long-suffering in their regard. And if one of these men say to me: 'Either grant me an opportunity of doing penance once more, or allow me in despair to do whatever I please as far as my powers allow and human laws place no restraint . . . or, if you warn me against such wickeness, tell me whether it will profit me in the future life if I despise the sweetness of alluring pleasure . . . if my tears are more abundant . . . and my charity more burning than it was before:' who would be so foolish as to reply: 'These things will profit you nothing hereafter; go and enjoy the pleasures at least of this life.' . . . Though, therefore, it has been with salutary caution provided that lowly penance be granted only once in the Church lest the medicine by becoming common should be less useful for the sick, its salutary effect being in inverse proportion to the contempt with which it is treated,"[1] who, nevertheless, would dare to say *to God* "why do you spare this man . . . a second time?"[2] Had there been a private sacramental penance, would the last question not have run, "who, nevertheless, would dare to say that the repentance of the sinner will not qualify him for a private absolution?" Fr. de San says in reply[3] that the Church, by her denial of a second public

[1] Cf. Ambr. *De Poen.* II. x., t. 16, col. 520.
[2] *Ep.* 153, c. 3, n. 7, t. 33, col. 655-6.
[3] *De Poen.*, p. 224.

penance, "*seemed* to think that penance was impossible" for those who fell again. Why should she, if she was daily granting a second absolution? "St. Augustine," he states,[1] "makes no mention of the Church's custom of granting a (second) sacramental absolution because that custom had nothing to do with the solution of the difficulty that had been proposed!" If sacramental absolution had nothing to do with it, I must candidly confess I fail to see what *had*. An answer of the kind may be possible perhaps, but, I ask, is it natural?

* * * * * *

It must be noted, however, that the refusal of a second absolution extended only to the cases in which public penance in the strict sense was inflicted. When, after the confession of certain sins which we now regard as mortal but of which the early Church took a more lenient view, the preparation for public absolution took the form of a private discipline, the sinner was apparently not regarded as subjected to penance properly so-called.[2] In regard, therefore, to the "moderate" sins of Tertullian, as well as the "mortal faults" as distinguished from the "mortal crimes" of Origen, or the sins mentioned in the 14th, 21st, and 50th canons of Elvira,[3] there is nothing in the records that tends to disprove or discourage in the slightest a repeated recourse to the power of the keys.[4]

[1] *De Poen.*, p. 224.

[2] The Council of Elvira (c. 12) states in fact that penitents so reconciled were received back "without penance." *v.* (p. 75.)

[3] *v.* p. 75.

[4] Origen (*loc. cit.*) expressly allows repeated penance for such offences.

I am speaking, of course, of the official practice of the Church; for, as to Tertullian's private opinion, it can hardly be supposed that the pronounced puritanical attitude of mind be exhibited in his Montanist days would have allowed him to apply to the "moderate" offences a less rigid principle than he had applied to all mortal sins even as a Catholic.

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Even as regards confessedly mortal sins there are traces of a more liberal practice in portions of the Church. In Syria, for example, where the penance for mortal sins extended only over a few weeks,[1] it is hardly conceivable that the reception of the sacrament should have been confined to a single occasion: there is, in fact, no trace whatever of such a restriction in the pages of the *Didascalia*[2] which most probably treat of the Syrian practice. The same assertion has sometimes been made in regard to Constantinople. We should, however, retain an open mind in that connexion, for the evidence is hardly sufficient to justify the statement. That there are no positive directions against its repeated administration there is true. But when we recall the extreme severity exhibited—public penance for a single sin extending sometimes over twenty years,[3] the chances that in a normal lifetime the sacrament could be frequently received become rather problematical. Almost two centuries after our period, one of the charges urged against St. Chrysostom at the Synod *Ad Quercum*[4] was based on his teaching: "If you sin again do penance anew, and

[1] *v.* p. 49.
[2] II., xii.-xviii. (Funk).
[3] *v.* p. 50.
[4] Harduin, *Concilia*, t. I, p. 1042.

as often as you sin come to me and I will forgive you." When we find a statement that now finds a place in our ordinary sermons on repentance gravely discussed by an assembly of ancient bishops—whatever their character or motives—as proof of dangerous teaching, we may pause before we attribute to the Church they represented a doctrine or practice differing from that which prevailed at the time in other parts of the Catholic world or exhibiting in a material degree the milder characteristics of a later time.

In one case, indeed, as I have stated already,[1] a second absolution would seem to have been generally allowed. In the shadow of approaching death all crimes were pardoned and rigid principles forgotten. The earlier writers unfortunately say nothing on the subject: but if, as seems almost certain, the 13th Canon of Nice embraces all, even the relapsed, and if, as appears very probable, the "ancient and canonical law" extended backwards a century at least, then it would appear that about the year 200 A.D., according to the recognised rule of the Church, no one should be refused at death the help and pardon which the Church was commissioned to bestow.

The restriction of penance, it need hardly be added, was purely a matter of discipline. The Church was conscious of the power of the keys, and any restrictions, more or less arbitrary, she may have chosen to impose—just as she imposes them now in reserved cases—were dictated not by a sense of helplessness but by a prudent wish to avoid the evils that would follow were such regulations non-existent. The rule was eminently

[1] *v.*, p. 85.

suited to a small community of extraordinary sanctity, but in a wider sphere of activity merely discouraged the faithful from approaching the sacrament and defeated the end it was intended to secure. The wisdom of subsequent centuries detected its defects, and the need of repeated absolution that began to be felt "when the world had flowed into the Church and a habit of corruption had been largely superinduced"[1] prepared the way for its final rejection by the developed conscience of the Christian world.

[1] Newman, *Develop.*, p. 118.

CHAPTER IX.

Doctrine Imperfectly Defined at First.

short sketch of subsequent development.

The early records, then, reveal all the constituent elements of the Sacrament of Penance. But to anyone who carefully studies even the few quotations cited in the previous pages it will be clear that Catholic doctrine at the time was far from being so systematic as when, centuries later, it passed through the hands of the scholastics. The early Christian, knowing that Christ had not come to increase the sinner's difficulties, drew the conclusion that charity, repentance and good works had lost nothing of the remissive power guaranteed them by the old Dispensation. They were, perhaps, inclined to over-emphasise this truth to the detriment of the no less important one that the church had now the ultimate power to bind and loose. Tertullian, as we have seen, pays much more attention to the works of the sinner than to the Church's absolution: Clement does not mention the latter at all: while Origen, though he generally identified the unconfessed and the unforgiven sin, in his closer treatment of the subject enumerates Penance as merely one of seven means by which the sinner might be reconciled. True, they all, by confining the administration of Penance to a single time, virtually state that there was associated with that one discipline and with no other, a mysterious efficacy arising from the fact that the Church had

made the discipline her own. The germ of the Catholic doctrine is there; it merely requires to be developed. But it must, I think, be granted that neither the writers nor the Church in general drew the ultimate conclusions from their principles or saw clearly the full extent of the development. "The busy age which carried the Gospel from Jerusalem to Rome," and the equally busy age which immediately succeeded, "had little time for the settlement of details."[1]

A statement of this kind is, however, the result rather of a general survey of the history of Penance than of a minute examination of any particular stage. By way of illustration, therefore, and as an indication of the course a general treatment of the sacrament would follow, I venture, before concluding, to give a short sketch of the subsequent development in theory and practice.

As for the doctrine, I cannot do better than quote the remarks of Dr. Hogan in the "American Catholic Quarterly."[2] It will serve the double purpose of expressing my views and of showing at the same time how little one of our foremost scholars considered himself bound to maintain the theory of a strict uniformity in doctrine all along the centuries. After giving various quotations from Tertullian, Origen, Cyprian and Ambrose he continues[3]: "The prayers of others and their own, alms, austerities of various kinds, these are the means that seem to be almost entirely relied on. Of this we have a striking example in the "Vitæ

[1] Swete: *Journal of Theol. Studies*, April, 1903, p. 322.
[2] July, 1900. [3] p. 434, sqq.

Patron; or Lives of the Fathers of the Desert." . . . What they all rely upon to obtain forgiveness is the austere discipline to which they voluntarily submit themselves. . . . There is no turning, so far as we can see, to the power of the keys.

And yet as far back as we can see distinctly into the past, the sinner had always to turn to the Church, and neither in life nor in death did he feel secure till the Church had forgiven him. The two doctrines, "forgiveness through repentance" and "forgiveness through the power of the keys," were held simultaneously, but without any attempt to determine the part of each or to harmonize their action. That so obvious a question should have been so long neglected is strange indeed; but not more so than in the case of many other problems which had to wait for the active and penetrating mind of the schoolmen. We meet this one for the first time exposed in the *Decretum* of Gratian (A.D. 1115) causa xxxiii., 96 dist. 1, under this form: "*Utrum sola cordis contritione et secreta satisfactione absque oris confessione quisquis possit Deo satisfacere?*" And, strange to say, instead of a formal response in the negative, the great canonist gives authorities, Scriptural and Patristic, on both sides, and concludes thus: "*Cui harum sententiarum ritius adhaerendum sit, lectoris judicio, reservatur. Utraque enim fautores habet sapientes et religiosos viros.*" In a word, he leaves it an open question, and an open question it remains for the next two hundred years, dividing the keenest minds and the highest authorities, not indeed as a practical problem, for the obligation of confession was not

questioned, but as to what was the share of absolution in the remission of sins . . . Petrus Lombardus (A.D. 1130) adopts in his "Sentences" the opinion of Cardinal Pullus. "*A peccatis solvit sacerdos non utique quod peccata dimittit sed quod dimissa (per contritionem) sacramento pandat.*" . . . The Great "Master," as he was called, drew after him the bulk of theologians, among others Albert the Great. His opinion, says Morinus (p. 505) variously expanded prevailed in the schools for nearly a hundred years. Only one kind of contrition was thought of, and that, it was held, secured forgiveness before the reception of absolution. It was only gradually, slowly, and amid much speculation that subsequently the opposite view took hold and finally triumphed" in the decrees of Constance, Florence and Trent, and in the subsequent condemnation of heretical teachings by the Popes.[1] His general conclusion in regard to the early ages is: "If so much obscurity gathered around questions of so much importance through a lengthened period of intelligent discussion, how much more must have prevailed before close consecutive thought had been given to the subject": and his general advice to theologians may be summed up in a suggestion to "accommodate their theories to the facts instead of twisting the facts into order to make them fit into preconceived theories" and "to study in detail each doctrine, each institution . . . and ascertain by direct examination how far any given writer or church or age thought as we think or acted according to the principles which guide us at the present day."

[1] S. Pius V., Greg. XIII., and Urban VIII.

In early times the Churches of the various countries to which Catholicity had spread differed much more in their ritual and practice than at present. There was, therefore, no perfectly simultaneous and parallel general development. The following may be taken, however, as a tolerably precise description of the more prominent features of the evolution.

First came the gradual delegation of the power of the keys to ordinary priests. This was the case in particular instances, in the West as early as the middle of the third century.[1] The Council of Elvira [2] is a witness to the same some fifty or sixty years later. For portion of the penitential rite there had been in the East, from the year 250 at least, a general delegation of power to the Priest Penitentiary: a custom which, it would seem, was introduced into the Western, or at least the Roman, Church about the beginning of the subsequent century.[3]

Then the austerities of the early penance were gradually modified: so much so that in the West at the time of St. Augustine only those guilty of very heinous offences were, it would seem, termed the "penitents proper." [4] Lesser sinners were doubtless subjected to a course of discipline similar to that imposed at an earlier date on the "assistants" of Asia Minor. The only thing public in connection

[1] See p. 108, n. 2. [2] Can. 32.

[3] Pope Marcellus (c. 310 A.D.) is credited with the institution (*Lib. Pont.*, ed. Duchesne, t. 1, pp. 75, 164).

[4] *Ep.* 265, n. 7, t. 33, col. 1088: *De fid. et op.*; c. 26, t. 40, col. 228. Cf. *Serm.* 351, n. 10, "multi corriguntur ut Petrus." Yet he sometimes speaks as if all mortal sins should be submitted to public penance (*v.* p. 73). See also Pope Leo, *Ep.* 167, t. 54, col. 1209.

with their penance was, in fact, the absolution by the bishop or delegated priest.[1] In the East the public penance had wholly disappeared and given place to our present practice owing to the unfortunate occurrence in the year 390 A.D.

The removal of the prohibition in reward to the repeated reception of the Sacrament was the next step. Pope Siricius was the pioneer of the new development. In a letter to Himerius in the year 385 A.D. he allowed a second penance.[2] More extensive applications of the principle soon followed. In the sermons of the early part of the fifth century some of our best critics detect traces of an annual confession and of the general submission of venial sins to the power of the keys.[3] At the same time in the East St. Chrysostom's vigorous defence of a repeated recourse to sacramental absolution was meeting with a strong but ineffective opposition.

The working out of these two last developments to their logical issue was, of course, merely a question of time. In the religious orders it had long been a common practice to keep a record of daily imperfections and reveal them to all indiscriminately in private or public confession. The possibilities of the new regulation were evident. If the period of penance was shortened and absolution granted a number of

[1] M. Batiffol (*op. cit.*, p. 104). Even this was dispensed with at Carthage (III. Carth., can. 32).

[2] Those who have fallen again, he says, "jam non habent suffugium poenitendi. . . . a Dominicae mensae convivio segregentur." Yet, "viatico munere cum ad Dominum coeperint profiscisci per communionis gratiam volumus sublevari." P.L., t. 56, col. 557.

[3] *e.g.*, M. Batiffol (*op. cit.*, pp. 182, sqq.)

times, why should the monks not regard the austerities of their daily life as a preparation for the repeated reception of the Sacrament? Though their consciences were not burdened with such serious sins as had troubled the penitents of earlier times, might they not avail themselves of the grace attached to sacramental absolution and transform the penitential discipline into a means for further perfection and sanctity of life? The development in the case of the laity was slower. It was reserved in fact for St. Columbanus[1] to grasp the situation fully. Perceiving that publicity was clearly not an essential feature of sacerdotal absolution he popularized[2] among the faithful generally the practice of private penance, even for venial sins, he had already encouraged in the monasteries. Only one step was now required to complete the evolution. That came with St. Boniface's regulation that absolution should be granted immediately after the confession had been heard.[3] And if the East and West were thus brought into agreement, and a practice established which late ages approved as most in harmony with the spirit of the Gospel and the needs of the Universal Church, it is to the spiritual perceptions of the Irish monks that the Catholic world is indebted.

[1] M. Vacandard: (*Rev. du Cler. Fran.*, 15 Mar., 1899, p. 147).

[2] Löning (*Ges. des deut. Kir.*) and Malnory (*Quid Luxovienses,*) &c., maintain that he introduced it. The statement is not quite correct.

[3] *Concilia*, v., c. 31. P.L., t. 89, col. 825. "Let each priest take care that immediately after the confession is heard, all the penitents be reconciled." Morinus, it may be remarked, places this development somewhat later, when pilgrimages, holy wars, crusades, etc., were in certain cases substituted for the canonical penances (*De Poen.*, L. x., c. 22).

Periodic confession was prescribed in various churches from the seventh or eighth century onwards.[1] But no general movement was visible in that direction, nor, for various reasons, were the special regulations adopted always effective. The way, however, was being prepared for a general law and men's minds were growing accustomed to the idea of repeated confession. In the beginnin gof the thirteenth century the time had come for the Pope to intervene and, as ruler of the Universal Church, establish a practice which individual bishops had in vain tried to enforce. The Council of Lateran assembled under Innocent III. in 1215, and passed the decree on annual confession which has remained the universal law binding the Catholic world ever since.

[1] *E.g.*, by Egbert of York (8th century), possibly by Theodore of Canterbury (7th cent.) Three confessions in the year were prescribed in certain localities in the 9th century. (Martene, *De Ant. Eec. rit.*, L. 1, c. 6, art. 7).

CHAPTER X.

Conclusion.

Historical treatment of dogma is a rather bewildering task. Doctrines were so ill defined in the early Church, and diversity of opinion so common even in comparatively important matters, that it is difficult to educe order from the chaos of varying statements. We are apt to confuse dogma and discipline and to regard with wonder, if not with disapprobation, practices authorised by even the most orthodox teachers.

It may be well, therefore, to sum up the conclusions arrived at in the preceding pages and compare them with the various definitions and authentic declarations of Catholic doctrine.

First as to dogma:—

1. The early Church asserted, and proved from the words of our Lord recorded by St. Matthew and St. John, her power of forgiving post-baptismal sin through the Sacrament of Penance. So the first three canons of the fourteenth Session of the Council of Trent.

2. The sacrament was really a judgment, and the final absolution a judicial act.[1] So the 9th canon of the same Session.

3. The penitent was required to confess all his mortal sins, to express his sorrow, and make rigid satisfaction: nor was it ever suggested that any of these practices was a reflexion on the merits of

[1] *v.* Origen, *In Matt.*, t. xii., 14 (quoted p. 20): so the *Didascalia* II., 12. 1, 13. 4, 15. 8, 16. 1, 42. 5, etc. (*v.* p. 49).

Christ's death or tended to dim the purity of true Christian worship. So the 4th, 7th, 8th and 14th canons.

4. Venial sins were occasionally confessed: but generally not, at least with a view to absolution. This agrees with the ordinary Catholic teaching expressed in the 7th canon and 5th decree of the same session.

5. Contrition arising from the fear of hell[1] was regarded as good and praiseworthy. Cf. the 5th canon.

6. Private confession was considered conformable to Christ's command. Cf. the 6th canon.

7. Absolution was conferred only by the recognised minister of the Church, nor, as is evident from the silence of all the witnesses except Origen and Tertullian in their Montanist days, did the minister lose his power when he sinned. Cf. the 10th canon.

8. The general principle of reservation was clearly recognised, and applied even more drastically than it is at present. Cf. the 11th canon. The method of application differed, of course, from that of later times.

9. If we accept the theory that the absolution was given at the beginning, the whole penitential discipline becomes an overwhelming proof of the doctrine on temporal punishment taught in the 12th, 13th and 15th canons. If it were postponed till the end, the dispositions of the penitent were so perfect that the Church deemed the imposition of post-sacramental penance unnecessary or inadvisable. Whichever theory be adopted, the fact—which emerges into light a few years later—that penitents who received the sacrament

[1] *v.* p. 61.

when they seemed on the point of death were obliged to perform *part* of the penance in case they recovered is a striking testimony, not only to the practical use of indulgences at the time but to the belief of the early Church in the doctrine on temporal punishment defined at Trent.

So much for dogma. In regard to discipline :—

1. Sins were sometimes *publicly* confessed, though generally not. This is in full accordance with the 6th canon which remarks parenthetically that "the confession" from the beginning, and with the 5th chapter which states that "with regard to the method of confessing secretly to the priest alone,[1] though Christ has not forbidden anyone . . . to confess his sins publicly, yet this has not been commanded by divine precept nor could any human law prudently enjoin an open confession, of secret sins especially."

2. Absolution was given by bishops or by priests specially delegated. This should not surprise us; jurisdiction was required, as well as orders, for the valid administration of the sacrament. The ancient arrangement was natural enough at a time when the number of bishops was great, and the number of penitents comparatively small.

3. As a general rule, the absolution was most probably given at the end. On this point there is no formal pronouncement by the Church.[2] Even at the present day the principle is occasionally followed.

4. The penance itself and the absolution were, for mortal sins, generally public. On this head, too, the

[1] "Sacerdos," be it noted is the word used. *v.* p. 121. [2] See p. 118.

Church is silent. If the practice involved a partial violation of the seal,[1] it was, after all, only such as was inevitable at a time when, since venial sins were generally not submitted for absolution, the mere reception of the sacrament was a fairly clear indication that mortal sins had been confessed.

5. Outside the case of absolution at death the sacrament was in the case of the graver sins conferred only once. In forming our conclusions on this matter, the Church, again, gives us no official direction except by her condemnation of the Jansenist assertion that according to "the venerable discipline of ancient times, absolution was refused to sinners even on their death bed."[2] As for the dogmatic issue involved, I need only say that the Church is not merely commissioned to regulate the ceremonial associated with the administration of the sacraments or, as in the case of Matrimony, to prescribe the conditions under which they may be validly conferred, but may also exercise her powers with strictness or liberality according to the needs of the time and the general principles of prudence. The recent liberal legislation in regard to the reception of the Eucharist and the stricter doctrine that found favour antecedently furnish an illustration, in our own time, of the varying application of the general economic principle.

These conclusions suggest a few parting remarks.

[1] This difficulty is inevitable in all the theories, and is therefore decisive against none. Fr. de San, for example, who may be taken as representing the extreme view, is forced to confess (*De Poen.*, pp. 179, 223) that all who committed a canonical sin a second time were excluded from the Eucharist during life. In an age when everyone was expected to receive frequently the fact was eloquent.

[2] *Auctorem Fidei.* Prop. 38 Cf. Sess. xiv., cap. vii. of Trent.

First. We recognise in connexion with Penance, as in many other matters, that steady development of truth and practice which must be a marked characteristic of a divinely established and living Church, peculiar to no particular age or country, capable of adapting herself, without sacrificing her essential unity, to every phase of human life. Her doctrine has been aptly compared to the "nebula which condensed little by little and finally become a star."[1] What is true of Catholic doctrine generally is true of her doctrine and practice in regard to Penance in particular. The "germinal truths (of the New Testament) have been growing, unfolding their divine meaning, branch by branch, leaf by leaf, assimilating to themselves cognate truths . . . . interpreting themselves ceaselessly in accordance with the never-ceasing growth of humanity, with the ever-changing circumstances of its life." The truth "has grown: and over its growth the Church, under divine guidance, has kept vigilant watch, to hold it ever true to its first germ, ever true to the mind of Him who placed the germ in the soil of the world's life and thought."[2]

Secondly. While Protestants, rejecting the practice and authority of the Catholic Church, have been logically forced to discard doctrines that formed an essential portion of the Christian deposit, the adherents of the ancient faith have embodied those doctrines in a practice so conformable to the spirit and teaching of

[1] M. Vacandard: *Revue du Cler. Franc.* Feb., 1899.

[2] Archbishop Ireland in the *North American Review*, Feb. 1st, 1907. "To live is to change and to be perfect is to have changed often." Newman, *Development*, p. 40.

Christ, and so well adapted at the same time to the needs of modern life, as to appear to distinguished converts a sufficient proof in itself of the divine commission of the Church.[1]

Finally. Since the doctrines and institutions of the early Church were not "mushroom growths," but rather the logical developments of the truths delivered to the Apostles and preserved at the cost of many a martyr's life by the Christians who succeeded to the trust, we may conclude—even apart from the Scriptural texts—that, during the hundred years that elapsed from the death of the last apostle to the period under review, there was no breach in the historical continuity of Christian belief, and that we Catholics may, therefore join hands across the centuries with the immediate disciples of Christ in our profession of the common 'faith once for all committed to the saints.'

[1] "If there were nothing else known to me of the Catholic Church but her system of confession, as I know it by experience, it would be enough alone to prove to me her divine origin." Rev. Dom John Chapman. *Bishop Gore and the Catholic Claims*, p. 120.

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